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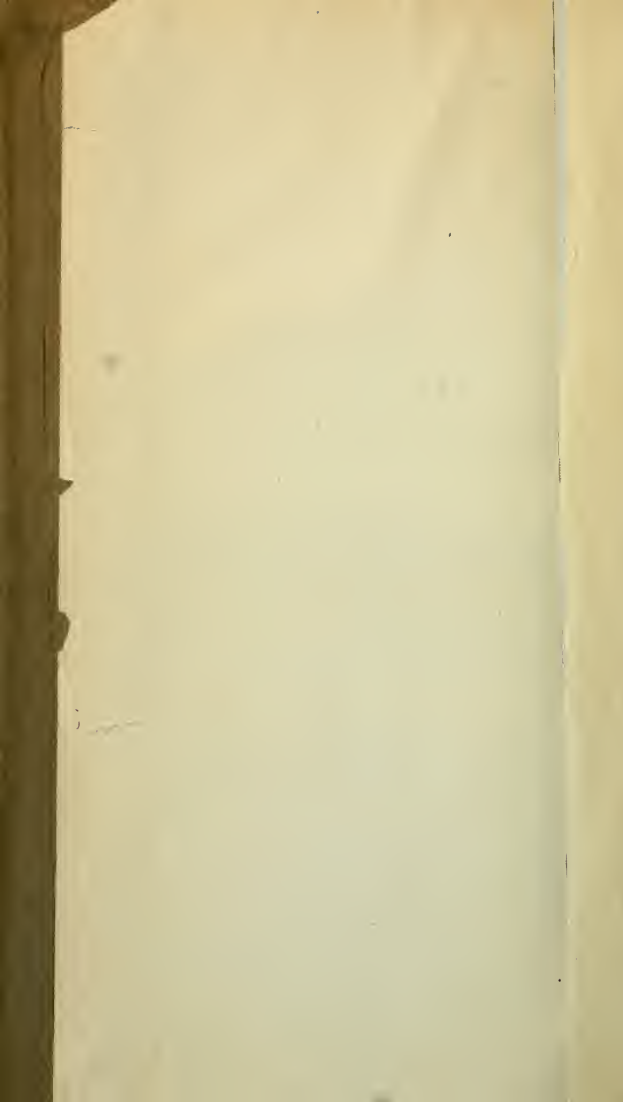
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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE NINTH GENERAL ASSEMBLY

OF THE

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STATE OF ILLINOIS,

AT THEIR FIRST SESSION, BEGUN AND HELD IN THE
TOWN OF VANDALIA,

DECEMBER, 1, 1834.

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VANDALIA, ILL.

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1835.

JOURNAL

HOUSE OF REPRESENTATIVES

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STATE OF ILLINOIS

THE HOUSE OF REPRESENTATIVES
OF THE STATE OF ILLINOIS

January 20, 1908

1908

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STATE OF ILLINOIS

1908

JOURNAL
OF THE
HOUSE OF REPRESENTATIVES.

At a General Assembly of the State of Illinois, begun and held in pursuance of the Constitution, at Vandalia, on Monday the 1st day of December, in the year of our Lord one thousand eight hundred and thirty four, the following members appeared, were qualified and took their seats, viz:

From the county of Alexander—WILSON ABLE.

From the county of Union—JOHN DOUGHERTY.

From the county of Johnson—JOHN OLIVER.

From the county of Pope—CHARLES DUNN.

From the county of Gallatin—STEPHEN R. ROWAN and JAMES HAMPTON.

From the counties of Franklin and Washington—JOHNSTON WREN and GEORGE P. BOWYER.

From the county of Jackson—JAMES HARRELD.

From the counties of Randolph and Perry—RICHARD G. MURPHY and JOHN THOMPSON.

From the county of St. Clair—JOHN D. HUGHES and WILLIAM MOORE.

From the county of Madison—JAMES SEMPLÉ and JESSE B. THOMAS, jr.

From the county of Monroe—JOHN D. WHITESIDE.

From the county of Clinton—JAMES OUTHOUSE.

From the county of Bond—WILLIAM HUNTER.

From the county of Macoupin—JOHN HARRIS.

From the county of Montgomery—CHRISTIAN B. BLOCKBURGER.

From the county of Greene—CHARLES GREGORY, LEWIS W. LINK and CALVIN TUNNEL.

From the county of Hamilton—MILTON CARPENTER.

From the county of Jefferson—STINSON H. ANDERSON.

From the county of Edwards--THOMAS HUNT.

From the county of Wayne--BENJAMIN A. CLARK.

From the county of Wabash--ORLANDO B. FICKLIN.

From the counties of Fayette and Effingham--ROBERT BLACKWELL.

From the counties of Marion and Clay--ELIJAH S. FRAZER.

From the counties of Shelby and Macon--THOMAS B. TROWER.

From the counties of Tazewell and McLean--WILLIAM BROWN.

From the county of White--WILLIAM MCHENRY and EDWIN B. WEBB.

From the county of Lawrence--JESSE K. DUBOIS.

From the county of Crawford--JAMES D. MCGAHEY.

From the county of Edgar--NELSON W. NUNNALLY.

From the county of Clark--URI MANLY.

From the county of Coles--JAMES T. CUNNINGHAM.

From the counties of Vermillion, Champaign and Iroquois: WILLIAM FITZIAN and ASA ELLIOTT.

From the county of Sangamon--JOHN DAWSON, JOHN T. STUART, WILLIAM CARPENTER and ABRAHAM LINCOLN.

From the county of Morgan--NEWTON CLOUD, JOHN WYATT, JOHN HENRY and WILLIAM GORDON.

From the counties of Hancock, Pike and Adams--WILLIAM ROSS and THOMAS H. OWEN.

From the county of Schuyler--JACOB VANDEVANTER.

From the counties of Fulton, Knox and Henry--SAMUEL HACKELTON.

From the counties of Calhoun, McDonough, Warren and Mercer--PETER BUTLER; and

From the counties of Peoria, Jo Daviess, Putnam, La Salle Cook and Rock Island--JOHN HAMLIN.

Mr. Wyatt, a representative from the county of Morgan, called the House to order, and

On motion of Mr. Hackelton,

John D. Whiteside was appointed Speaker *pro tempore*.

On motion of Mr. Dougherty,

Walter B. Scates was appointed Clerk *pro tempore*.

On motion of Mr. Wyatt,

Thomas C. Kirkman was appointed Assistant Clerk *pro tempore*.

On motion of Mr. Stuart,

John Armstrong was appointed Door-keeper, *pro tempore*.

On motion of Mr. Dougherty,

The House then proceeded to the election of Speaker; and upon the vote being taken, James Semple, had thirty votes, and Charles Dunn had twenty five votes.

Those voting for Mr. Semple, are,

Messrs. Anderson, Butler, Blockburger, Brown, Cloud, Carpenter of Hamilton, Carpenter of Sangamon, Cunningham, Dunn, Dawson, Frazer, Gregory, Hunter, Hamlin, Hackelton, Harris, Hughes, Link, McGahey, Murphy, Moore, Nunnally, Owen, Outhouse, Ross, Tunnel, Trower, Vandevanter, Wyatt and Whiteside—30

Those voting for Mr. Dunn, are,

Messrs. Able, Blackwell, Bowyer, Clark, Dubois, Dougherty, Elliott, Fithian, Ficklin, Gordon, Henry, Hunt, Hampton, Harreld, Lincoln, McHenry, Manly, Oliver, Rowan, Semple, Stuart, Thomas, Thompson, Wren and Webb—25.

Mr. Semple having received a majority of all the votes given, was declared duly elected Speaker of the House of Representatives; and was conducted to the Chair by Messrs. Dunn and Dougherty.

On motion of Mr. Cloud,

The House then proceeded to the election of Clerk of the House of Representatives, when David Prickett received all the votes given, and was declared duly elected.

Mr. Cloud proposed for adoption the following resolution:

Resolved, That the House now proceed to the election of an Assistant Clerk to the House of Representatives.

On motion of Mr. Stuart,

Said resolution was laid upon the table.

On motion of Mr. Dunn,

The House then proceeded to the election of Engrossing and Enrolling Clerk; and upon the vote being taken, Ebenezer Z. Ryan had 32 votes, and Thomas C. Kirkman had 23 votes.

Those voting for Mr. Ryan, are

Messrs. Able, Cunningham, Clark, Dunn, Dubois, Dougherty, Elliott, Fithian, Ficklin, Hunt, Hampton, Harreld, Hughes, Link, Lincoln, McGahey, Murphy, Moore, McHenry, Manly, Nunnally, Outhouse, Oliver, Rowan, Stuart, Thomas, Thompson, Vandevanter, Wren, Whiteside, Webb and Mr. Speaker—32.

Those voting for Mr. Kirkman, are

Messrs. Anderson, Blackwell, Butler, Blockburger, Bow-

yer, Brown, Cloud, Carpenter of Hamilton; Carpenter of Sangamon, Dawson, Frazer, Gregory, Gordon, Henry, Hunter, Hamlin, Hackelton, Harris, Owen, Ross, Tunnel, Trower and Wyatt—23.

Mr. Ryan having a majority of all the votes given, was declared duly elected.

On motion of Mr. Stuart,

The House then proceeded to the election of Doorkeeper, and upon the 7th vote being taken, William C. Murphy, was declared duly elected, who gave his attendance and entered upon the discharge of his duties.

Alexander P. Field Esq., Secretary of State, laid before the House an abstract of the votes given for Governor and Lieutenant Governor, at the General election, held on the first Monday of August 1834.

The following message from the Council of Revision, was laid before the House, by Mr. Bradley, to wit:

“The Council of Revision, having had the Bill, entitled “an Act concerning Judgments and Executions,” under consideration, are of opinion that it is improper for said Bill to become a law of this State, for the following reasons, to wit:

The first section of the bill limits the lien of Judgments in the Supreme Court, to the county where the court sits—said section also gives the lien only to the plaintiffs, should the defendant recover a judgment against the plaintiff, no lien is provided in favor of a judgment creditor thus situated. The act makes no provision for obtaining judgment and execution on Mortgages, and repeals the present mode of foreclosing Mortgages.”

Other objections exist to the bill, but want of time prevents their enumeration.

WM. LEE D. EWING,
Acting Governor.

WM. WILSON,
THO'S. C. BROWNE,
THEO'S. W. SMITH,
SAM'L. D. LOCKWOOD.

On motion of Mr. Cloud,

The objections of the Council and the bill were laid upon the table.

The House then adjourned until 3 o'clock, P. M.

3 o'clock, P. M.

House met pursuant to adjournment.

On motion of Mr. Stuart,

Resolved by the House of Representatives, (the Senate concurring herein,) That both Houses of the General Assembly, will meet in the Representative Hall, to-morrow at 2 o'clock P. M., and then canvass the returns for Governor, and Lieutenant Governor of this State.

Ordered, That the Clerk inform the Senate thereof, and ask their concurrence therein.

On motion of Mr. Link,

Resolved, That George W. Carruthers be admitted within the bar for the purpose of reporting the proceedings of this House.

And then the House adjourned until to-morrow morning 10 o'clock.

TUESDAY, December 2, 1834.

House met pursuant to adjournment.

A message from the Senate by Mr. White, their Secretary.

"MR. SPEAKER—I am directed to inform the House of Representatives, that the Senate have met, formed a quorum, elected Leonard White their Secretary, William G Flood their Engrossing and Enrolling Clerk, and Robert M. Gordon their Serjeant-at-Arms, and that they are now ready to proceed to business;" and then he withdrew.

On motion of Mr. Link,

Resolved, That the Clerk inform the Senate that the House of Representatives have met, formed a quorum, elected James Semple their Speaker, David Prickett their Clerk, Ebenezer Z. Ryan their Engrossing and Enrolling Clerk, and William C. Murphy their Doorkeeper, and that they are now ready to proceed to legislative business.

The following communication was received, read and laid upon the table.

DEPARTMENT OF STATE, }
Vandalia, December 2, 1834. }

To the SPEAKER of the House of Representatives,

I beg leave to inform you as the presiding officer of the House of Representatives, that His Excellency John Reynolds, resigned the office of Governor on the 17th day of November 1834, since which time, the duties of the Executive Department of the State of Illinois, has devolved upon and been exercised by Wm. Lee D. Ewing, Speaker of the Senate.

I have the honor to be,

Your ob't. serv't.

A. P. FIELD,

Secretary of State.

On motion of Mr Rowan,

Resolved by the House of Representatives, (the Senate concurring herein,) That a committee of both Houses be appointed to wait upon the Acting Governor, and inform him that they have organized and are ready to receive any communication he may wish to make.

Ordered, That Messrs Rowan and Dougherty be the committee on the part of the House, that the Clerk inform the Senate thereof and ask their concurrence therein.

On motion of Mr. Carpenter of Hamilton,

Resolved, That the rules established for the proceedings of the last House of Representatives, be adopted for the government of this House, until altered or amended.

The Speaker laid before the House the report of the Inspectors of the Penitentiary, appointed under the act of the last General Assembly, approved February 19th 1833.

Mr Dougherty, moved to dispense with the reading of said report, and that it be referred to a select committee of three; which was not agreed to.

Mr Stuart moved to dispense with the reading of the same, and that it be laid upon the table; which was agreed to.

Messag. from the Senate, by Mr. White their Secretary:

“MR. SPEAKER—The Senate have passed the following Resolution:

Resolved by the Senate and House of Representatives, That a joint committee be appointed to wait upon the Acting Governor, and inform him that they have organized, and are ready to receive any communication which he may wish to make,

and ask the concurrence of the House of Representatives therein; and have appointed Messrs. Edwards and Maxwell, the committee on their part." And then he withdrew.

The foregoing message being taken up, the resolution was concurred in; and Messrs. Rowan, Dougherty and Wyatt, were appointed the committee on the part of the House.

Ordered, That the Clerk acquaint the Senate thereof.

On motion of Mr. Carpenter of Hamilton,

Resolved, That the Clerk of this House be authorized to call to his aid, any suitable person he may think proper, as an Assistant Clerk.

Mr. Rowan, from the joint select committee, appointed to wait upon the Acting Governor, &c., made the following report:

That they have performed that duty, and have received for answer, that the Acting Governor would, at 12 o'clock this day, deliver to each House, a written communication.

And then the House adjourned until 12 o'clock, this day.

12 o'clock.

House met pursuant to adjournment.

Message from the Senate by Mr. White their Secretary.

"MR. SPEAKER—I am directed by the Senate, to inform the House of Representatives, that they have concurred with them in the adoption of the resolution, having for its object the meeting of both Houses in the Representative Hall, at 2 o'clock, to canvass the returns for Governor and Lieutenant Governor of this State." And then he withdrew.

Message from the Acting Governor by A. P. Field, Esq. Secretary of State:

"MR. SPEAKER—I am directed by the Acting Governor, to lay before the House of Representatives, a written communication." And then he withdrew.

The communication was then read, and is as follows, viz:

*Fellow-Citizens of the Senate,
and House of Representatives:*

It is with the profoundest diffidence, that being thrown into the discharge of the Executive functions of the State Government, by a coincidence of extraordinary contingencies, I undertake the task in observance of established usage, to address you the ordinary communication, which official courtesy has ever recognized as due to the Legislative branch of the Government from the existing Executive. The very unusual association of occurrences, which has, for the brief period of fifteen days, devolved the high duties incident to this station, upon me, I had hoped upon first consideration would have precluded the necessity of a formal communication; but upon more mature reflection, I esteemed this duty an obligation due to your honorable body, and I, therefore, acting in deference to this impression assume the alternative, although altogether less congenial to my feelings and wishes. I am not aware that the history of our State Governments affords any exact parallel to the condition of things now existing, relative to the present administration of the Executive of this State.

It would be esteemed by your honorable body supererogation on my part, to repeat to you the contingencies which have produced this state of things. These, however, have imposed upon me the performance of duties, which would have been most willingly avoided, and were entered upon with sincere reluctance and unmingled distrust of my own abilities. But relying most confidently upon the enlightened indulgence and generous forbearance of your honorable body, allow me to offer for your consideration, a few of the topics considered of the greatest interest to our constituents.

Blessed with a salubrity of climate unsurpassed, and a fertility of soil unequaled, in the whole Valley of the Mississippi, our State is progressing with wonderful rapidity, to a most elevated station among her Western Sisters, in all the improvements derivative from wealth, population and refined society. Emigration from every state in this great and patriotic republic, is seeking its way in thousands and tens of thousands to this fair Delta of the magnificent valley. With the exception of an occasional village of provincial French, but yesterday, it was an unbroken wilderness,—a trackless waste of prairie and unsubdued forest. The beautiful rivers that wash its borders, rolled their deep tides to the ocean unknown and unadmired.

This "desert now blooms as the rose." It is the "*ultima thule*" of the emigrant's hopes and aspirations. Her rivers are the channels of her rich commerce, and the admiration of the world. The magic wand of enterprise, industry and talent, is working its wonders in the land. The Indian's wigwam has disappeared in the presence of the rich man's mansion, and the poor man's cottage. Our rich prairies are converting into luxuriant fields and pastures; and all the attendant blessings and advantages of christian civilization are ours, or to be enjoyed at our bidding. Wise legislation alone can secure the consummation of these blessings and advantages.

Among the various subjects of legislative deliberation, I esteem it my duty to call your attention to the *Criminal Code*, under the conviction that radical amendments should be made to ameliorate the rigor of its character. Throughout the whole range of legislative duties, there is none more important or which merits more profound care and attention, than a formation of a proper system of criminal jurisprudence—one which will have a due regard to the feelings of humanity, and at the same time be best calculated to repress the prevailing crimes of the age.

Good sense and sound policy dictate that the measure of punishment should be proportionate to the nature of the offence, and every system of criminal laws, not conformable to this principle, must be radically defective. Regard must be had to the degree of guilt which attaches to each crime, and the standard of punishment must be graduated accordingly; otherwise, it may happen that offences essentially different in their nature, may incur the same and both perhaps are inadequate penalties. To elevate into crimes acts which are not essentially of that character, and which may owe their origin to a thousand accidents and contingencies which neither human foresight could anticipate, nor human wisdom prevent, is repugnant to our sense of justice and humanity; and when we see acts of this kind visited with the same measure of punishment which is meted out to offences of a malignant and dangerous character, in the perpetration of which, the worst feelings of our nature are enlisted, our sense of justice totally revolts. Believing that this Code is a sanguinary body of criminal law, I submit it to your wisdom, whether many of its provisions might not be wisely and beneficially revised. The management of the police regulations of the Penitentiary, is a subject intimately allied to the just adaptation of punishment to the degree and na-

ture of offences. Permit me particularly to invite the attention of your honorable body to this latter subject.

The Financial concerns of the State merit the most anxious consideration of the legislature. They are yet laboring under the consuming paralysis inflicted upon them by the operations of the *Old State Bank* and its resulting effects, and the sooner our Treasury can be emancipated from these retarding and embarrassing influences, the greater will be the advantages and benefits to our constituents. The present debt of the State is little short \$214,000—consisting of the loan of \$100,000 made to redeem State paper, and the debts due to the “Seminary” and “School Funds.” Upon these latter debts interest is rapidly increasing. Some measures should be adopted to reinstate those funds and for their appropriate and beneficial investiture.

The receipts into the Treasury during the last two years have been about \$147,000. This amount has been received from *Sheriffs*, from the sale of *Vandalia lots*, *Vermillion Saline lands*, *Gallatin Saline lands*, *On Account of the State Bank*, *Non-residents*, *Gallatin county Saline*, *School Fund*, *late Treasurer*, *Canal lands*, *late Treasurer Canal Commissioners*, *Seminary lands*, *Revenue Clerks*, *funded State paper* and *Redemption money*. The payments out of the Treasury, have been during the above period about \$146,000. These disbursements have been made in the discharge of *Warrants*, *payment of Redemption money*, *amount refunded on land redeemed*, *money refunded*, *certain contingent expenses of the State Bank*, *funded Stock redeemed* and *on State loan*. I am thus particular in order that the limited resources of our revenue may at once be seen, and the avenues of expenditure developed. The amount due from *Sheriffs* and *Clerks*, on the 1st of March next to the Treasury, is nearly \$36,000. This fact involves a defect in the Revenue Laws, which leaves the State with an empty Treasury, and no legitimate mode of immediate replenishment. I would take the liberty of suggesting to your honorable body, the necessity of a radical revision of some of the leading principles of those laws. I entertain the opinion that hereafter there should be no sales of non-resident lands to individuals for non-payment of taxes, but that whenever a sale becomes necessary, all land upon which the taxes and cost have not been duly paid, should be stricken off to the State; and that whenever the lands so stricken off the State, should be regularly redeemed, the redemption money should go into the *State Treasury*, and not

into the hands of speculators. It should be provided that payments should be made into the Treasury at an earlier date. It should also be provided that all sales of non-resident lands for non-payment of *Taxes*, should be made under the solemn sanction of the judgment of a court. To the want of these principles in the *Revenue Laws*, my objection is principally founded. Whatever may have heretofore been my opposition to the present mode of collecting the *Revenue*, it has now ceased, having become satisfied that in its operations it is more just and perhaps sufficiently efficient.

Something upwards of 4,500,000 acres of land are now taxable in this State. The Revenue of the State is derivable from taxation upon little more than half of the foregoing number of acres. Would it be wise policy in the Legislature, to require each county in the ratio of its taxation, to contribute to the State Treasury in order to disembarrass it of its pecuniary thralldom and bankruptcy? This enquiry is submitted with all due deference to the superior wisdom of the Legislature. For more particular and satisfactory information relative to the present condition of the *State Finances*, allow me to refer your honorable body to the reports of the *Auditor and Treasurer*.

The aggregate expenditures of the government of this State, from the period of its creation to the 30th September, 1834, amounts to nearly the sum of \$664,000; a sum enormous in the aggregate. But when we consider the extraordinary enhancement this sum underwent by reason of the depreciation and almost valueless character of the paper of the Bank, misnamed the "*State Bank*," and the rate at which it was paid out of the Treasury in disbursement of its necessary debts, it seems no longer extravagant or too great. Some of the items which constitute this sum, are, monies paid out for public printing \$47,000. Postage on Official Correspondence \$3,000. Expended on Surveys of route of Michigan Canal \$10,000. Agent of Ohio Saline \$8,000. Contingent fund, incidental expenses and special appropriations \$93,000. Governor, Auditor, Treasurer, &c. \$70,000. Judiciary, \$118,000. Legislature, \$210,000. Penitentiary, \$17,000. &c. &c. These facts are communicated not in reference to any effect it may have on our legislation, but merely as a matter of statistical history, of which, perhaps your honorable body is as well informed as myself.

Permit me to present to the consideration of your honorable

body, the subject of the establishment of a *State Bank*. Public judgment seems to have been pronounced against the recharter of the present Bank of the United States, in such unequivocal language as to involve the establishment of such an Institution in an absolute necessity. I therefore, in my capacity of *Senator*, propose to offer for your consideration a project for a State Bank—which, under the administration of judicious management, will annually defray the civil administration of the State Government—pay off the principal and interest of the State Loan—reproduce the annihilated School Fund, and bring it back into being—cover all contingent defalcations—create a fund for the ultimate payment of the loan necessary to be made upon which to found the Bank, as also the annual payment of the interest thereof; and in addition to all these important *desiderata*, afford to our country, at this time, almost totally destitute of a monetary medium, a safe and approvable currency.

The affairs of the Bank of the United States have been conducted in such a manner as to create the most fearful forebodings of the momentous tending of such an institution. That it has produced all the real and unreal distress complained of in the commercial community—that it has interfered in the political elections of our country—corrupted the public press, and prostituted its legitimate purposes—thrown the gauntlets of defiance at the people of the nation—insulted them in the person of their venerable Chief Magistrate—perpetrated acts of bold and daring usurpation—violated the provisions of its charter—and the common and settled principles of law, in seizing the Government dividends upon pretence, and claim of damages in consequence of the protest of the *French Draft*—That the exasperated managers of this institution are the authors of all the partizan strife and excitement which now convulse the country—that in order to achieve its purposes, it would place the existence of our republican institutions on the issue, my mind entertains not the slightest doubt. That the policy of the administration of the General Government in relation to this Bank, has been the result of enlightened wisdom, and for the ultimate glory and preservation of the freedom of our civil institutions, I entertain as little doubt. That the firm and intrepid stand taken by the President against its recharter, has been the conclusion of an exalted and devout patriotism and love of country, I have ever believed. And constituted as the 21th Congress is, with an undiminished

majority against the re-charter of that institution, mindful of the President's views of the subject, without any reference to the inexpediency and impolicy of such a Bank, it must be absurd to remind your honorable body that it cannot be re-chartered nor another reared upon its ruins. The bills of the U. S. Bank, withdrawn from circulation, as they necessarily will be, in order to a final close of its concerns, our State will be left entirely without a known good or bad adequate currency. Hence I propose the establishment of a State Bank, founded not upon the baseless impalpable fabric of a vision—but upon a solid gold and silver reality.

The augmented population of the State—the multiplied number of organized counties as well as the increase of business in all, has long since convinced every one conversant with this Department of our Government of the indispensable necessity of an alteration in our Judiciary System, and the subject is therefore recommended to the earnest and patriotic consideration of the Legislature. The present system has never been exempt from serious and weighty objections. The idea of appealing from the Circuit Court to the same Judge in the Supreme Court, is recommended by little hope of redress to the injured party below. The duties of the circuit, too, it may be added, consume one half of the year, leaving a small and inadequate portion of time, when that required for domestic purposes is deducted, to erect in the decisions of the Supreme Court, a judicial monument of legal learning and research, which the talent and ability of the Court might otherwise be entirely competent to. In recommending to your deliberation however, the establishment of a judicial circuit system, I cannot impress too deeply upon your minds the unspeakable importance of considering maturely, apart from all party or personal considerations, the qualifications of integrity and talents for that station. In vain may Legislative wisdom be exerted in the enactment of Salutary laws if judicial integrity is wanting in the administration; and however distinguished may be the Bench for unsuspected integrity of purpose, if there be any deficiency of legal learning and appropriate talent, the rights, liberty and property of the citizen have lost the certainty of their tenure.

The time is at hand when we are required by the Constitution to provide by law for taking a Census or Enumeration of our rapidly increasing population. We have the happiness to believe, that in the early settlement of no portion of the Globe

have the indications of enterprise and industry—of intellectual ability and moral worth, been more general and unequivocal than in our beloved State. This state of things can only be preserved by the fostering influence of wise and salutary legislation; and in reference to this subject especially, the great principle, so dear to our ancestors, that representation (particularly in the popular branch of a legislative body,) and population, should be invariably and strictly proportionate, ought by no means to be departed from. To give effect to the principle, it is suggested to the wisdom of your honorable body, whether a special session in the winter of 1835-6, be not demanded.

In the absence of any aid from the United States, an appropriate fund having been provided by the concurrent appropriations of Indiana and Illinois to commence the work, it remains only for the Legislature to direct the manner of employing it, and to continue the means of the eventual consummation of the long contemplated and desirable object of improving the navigation of the Wabash River.

To improve and facilitate the means of inter-communication and transportation, is a distinguishing trait in the character of the present age, and we have the further consolation to know that at whatever costs they may have been erected, every work of Internal Improvement in the United States, has added incalculably to the wealth, population and importance of the State in which it has been located. But whatever means of wealth the undeveloped resources of our immense and fertile surface may contain—whatever of patriotism and devotion to the public weal may animate the bosoms of our citizens, (and we are surpassed by none in either respect,) it is of the last importance that our energies should be directed by enlightened judgment and comprehensive views of public measures and private duty. Their absence cannot be supplied by other qualifications, and national calamities will not fail to obscure our political firmament, when the Halls of Legislative wisdom are not sufficiently enlightened to judge of public acts and the operations of Legislation upon our social relations and system of Government. Whatever may be the effects of unwise legislation upon both or either, any evil resulting therefrom can only be avoided by the erection of suitable institutions of learning. Munificent provision has been made for the accomplishment of this object; and it is believed that the interest already accrued on the School Fund, is enough to provide a sufficiently extended system of Common Schools, for the

instruction of our children and the youth of the country, in the rudiments of a Common English Education, whilst the interest on the Seminary fund is abundantly ample for the incipient steps towards the erection of such buildings and the procurement of such further means as may be necessary to form the foundation of a College that shall be honorable to our State—flattering to our pride—and above all, eminently useful to our citizens. By the prudent use of the means within our power, the integrity of both funds may be preserved, and their increasing amount will, at no distant day, render Illinois as distinguished for the intelligence and learning of her sons, as she already is for those exuberant qualities, which she has received in such bountiful profusion from the munificent hand of her Creator.

The State House at this place, since the last apportionment of representation, is manifestly inconvenient for the transaction of public business. At the same time, I may remark that the appearance of the building is not calculated to add either character or credit to the State. No member of the Confederacy, it is believed, has appropriated so small a portion of the public funds for the erection of public buildings as Illinois. And as citizens of this young and rising Commonwealth, whatever may be our partiality for the various places spoken of as suitable for the permanent location of the Seat of Government, we ought and doubtless do feel a pride which is as laudable as it is necessary, that the State of our adoption should not, in this particular, fall so far behind the example set us by the elder as well as the younger branches of the American Republic. In the neighboring State of Indiana, the liberality and public spirit of its Legislators, has been manifested in the erection of a large and commodious as well as splendid public building; which, when completed upon the plan adopted, will scarcely be exceeded by any similar building in the Union, and will be a monument of their taste and enterprise. I would most respectfully recommend to your honorable body, that a sufficient appropriation for a new State House be made at this session, and such further measures taken as will ensure the erection and completion of a building suited to our wants and necessities.

Great and abundant as are our natural facilities of transportation and inter communication, there still remains to be consummated, a work of Internal Improvement of great national as well as local importance—a work which has long been in the

contemplation of the State, but in relation to which, from the conflicting influence of various considerations, nothing decisive has been done. But now the eyes of the Union are upon us, and we are an object of astonishment and admiration to our sister States. I need not refer more particularly to the contemplated connection of Lake Michigan and the navigable waters of the Illinois river. A bill to incorporate a company for this purpose passed the House of Representatives at the last session of the General Assembly and was barely lost in the Senate. Since that time the subject has been extensively agitated by the community, and the opinions of our constituents in favor of that measure comes to us with unbroken unanimity, and deep will be their disappointment, and abiding their denunciation, should the action of the Legislature fail of being responsive to their wishes and their interest. Of the different methods proposed of effecting this communication, the general sentiment of the community as well as the report of an able Engineer and the experience of other States, seems to be in favor of a "*Rail Road*." The comparative cheapness of its construction—its diminished liability to get out of repair—its adaptation to use for a greater portion of the year as well as the greater facility of obtaining subscription for stock and the nature of the ground to be traversed, are among the reasons suggesting themselves to me, by which this mode of communication sustains its preference; which, in the embarrassed State of our Treasury—in the difficulties always attending the process of construction—of obtaining suitably qualified and responsible agents, and the greater economy and despatch of execution by individual companies, indicate the incorporation of a company under suitable restrictions, as the most ready and effectual method of accomplishing this highly desirable and important work—which more than any other cause is to promote our prosperity—advance our wealth and populate our territory. At no distant day, other works of Internal Improvement of equal importance to those sections of the State in which they may be located, will necessarily be constructed. The natural localities of the country indicate their positions. A connecting link of inter-communication between the waters of the Wabash river, and some point on the Mississippi, already appears to excite public attention to its importance. A Rail Road commencing at the intersecting point of the Indiana Canal, on the Wabash river, and terminating at an eligible situation on the western extremity of the State, would per-

vade a country of great fertility and unequalled adaptation to its construction. A work of Internal Improvement effecting this project, would be of incalculable advantage to a large portion of the people of this State—open a much abbreviated channel of communication to the great commercial mart of the Union—diminish the dangers of navigation and unite us in a more intimate fraternity with our sister States of Indiana and Ohio. Legislative action has already been intimated by an honorable member of the legislature. With that or any other gentleman who may propose a salutary measure upon this subject, in my character of Senator, I will co-operate with great pleasure.

Contrasting my humble abilities with the greater experience, talents and fitness of my distinguished predecessor, I felt unfeigned hesitation in entering upon the duties of the first Magistracy of the State. But the brevity of the period of my official exaltation and the recollection that at the conclusion of that brief period, I should be succeeded by one, in every qualification eminently fit for the station, and who had received a most signal manifestation of his country's favor in his election, I felt the less unwillingness to assume the performance of these important functions.

Invoking harmony upon our deliberations, and that the results may be promotive of the welfare and prosperity of our State, allow me to subscribe myself, fellow citizens of the Senate and House of Representatives,

Your most ob't. serv't.

WM. LEE D. EWING,

Acting Governor.

DECEMBER 2, 1834.

Mr. Dubois, moved to lay said communication upon the table.

Mr. Dawson, moved that the House adjourn until 2 o'clock P. M.

Which was not agreed to.

The question recurring upon the motion of Mr. Dubois;
It was decided in the affirmative.

The House then adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

On motion of Mr. Dawson,

Ordered, That the Clerk inform the Senate, that the House is now ready to receive them in the Hall of this House, for the purpose of canvassing the returns for Governor and Lieutenant Governor of this State;

Which being done:

The Senate, preceded by their Speaker, appeared in the Representative Hall; whereupon,

The Speaker of the House of Representatives, pursuant to the provisions of the Constitution, proceeded, in the presence of a majority of each House of the General Assembly, to open the returns, and publish the votes given at the last General Election in the different counties of this State, for Governor and Lieutenant Governor of this State: by which it appeared that

Joseph Duncan had received seventeen thousand three hundred and thirty votes,

William Kinney ten thousand two hundred and twenty-four votes,

Robert K. McLaughlin four thousand three hundred and twenty votes,

James Adams eight hundred and eighty-seven votes, respectively, for the office of Governor; and the said

Joseph Duncan having received the highest number of votes at the aforesaid General Election, was declared duly elected Governor of the State of Illinois:—That

Alexander M. Jenkins had received thirteen thousand seven hundred and ninety-five votes,

James Evans eight thousand six hundred and nine votes,

William B. Archer eight thousand five hundred and seventy-three votes,

Samuel Webster sixty-nine votes, respectively, for the office of Lieutenant Governor; and the said

Alexander M. Jenkins, having received the highest number of votes given at the said General Election, was declared duly elected Lieutenant Governor of the State of Illinois.

The Senate then withdrew.

On motion of Mr. Ficklin,

Resolved by the House of Representatives, (the Senate concur-

ring herein,) That a joint committee be appointed to wait upon the Hon. Joseph Duncan, and inform him of his election to the office of Governor, and upon Alexander M. Jenkins, and inform him of his election to the office of Lieutenant Governor of this State; and enquire of them at what time they will meet the two Houses for the purpose of taking their oaths of office.

Ordered, That Messrs. Wyatt, Stuart and Gregory be the committee on the part of this House—that the Clerk acquaint the Senate therewith, and ask their concurrence therein.

Mr. Dougherty proposed for adoption the following resolution, viz:

Resolved by the House of Representatives, (the Senate concurring herein,) That both Houses of this Assembly will adjourn on Monday, the second day of February next.

Mr. Henry moved to lay said resolution on the table;

Which was agreed to. yeas 48—nays 7.

The yeas and nays being called for,

Those voting in the affirmative are,

Messrs. Able, Anderson, Blackwell, Blockburger, Brown, Bowyer, Butler, Carpenter of Sangamon, Clark, Cloud, Cunningham, Dawson, Dubois, Dunn, Elliott, Fithian, Frazer, Gregory, Gordon, Hackelton, Harris, Hampton, Harreld, Henry, Hughes, Hunt, Hunter, Lincoln, Link, Manly, McGahey, McHenry, Moore, Murphy, Nunnally, Oliver, Outhouse, Owen, Ross, Stuart, Thompson, Trower, Tunnel, Vandevanter, Webb, Wren, Wyatt and Mr. Speaker—48.

Those voting in the negative are,

Messrs. Carpenter of Hamilton, Dougherty, Ficklin, Hamlin, Rowan, Thomas and Whiteside—7.

Message from the Senate by Mr. White their Secretary.

“MR. SPEAKER—The Senate have adopted the following resolution, in which they ask the concurrence of the House of Representatives, viz:

Resolved by the Senate and House of Representatives, That a joint committee be appointed to wait upon His Excellency Gen'l. Joseph Duncan, and Alexander M. Jenkins Esq., Lieutenant Governor, and inform them of their election, and request that they will meet the two Houses of the General Assembly, in the Hall of the House of Representatives and there take their oaths of office.

And they have appointed Messrs. Davidson and Mather on their part."

And then he withdrew.

On the question,

Will the House concur in the adoption of the foregoing resolution?

It was decided in the affirmative.

Ordered, That Messrs. Wyatt, Stuart and Gregory, be the committee on the part of this House, and that the Clerk inform the Senate thereof.

On motion of Mr. Wyatt,

Resolved, That a committee of five persons be appointed to draft rules for the government of this House during the present session.

Ordered, That Messrs. Wyatt, Webb, Dunn, Stuart and Dougherty be that committee.

On motion of Mr. Thomas,

Resolved by the Senate and House of Representatives, That when the Governor and Lieutenant Governor elect, meet the two Houses in the hall of the House of Representatives, for the purpose of taking the oaths required by the Constitution, the Honorable, the Judges of the Supreme Court, be invited to take a seat within the bar of the Representatives' Hall, and that the

Hon. Wm. Wilson, Chief Justice, be requested to administer said oaths to those officers, respectively.

Ordered, That the Clerk inform the Senate thereof, and ask their concurrence in the adoption of the same.

Mr. Webb proposed for adoption the following resolution:

Resolved, That 4000 copies of the Acting Governor's message, be printed for the use of the House.

Mr. Stuart moved to lay said resolution on the table; when,

The House adjourned until to-morrow morning 10 o'clock.

WEDNESDAY, December 3, 1834.

House met pursuant to adjournment.

Mr. Tunnel, proposed for adoption the following resolution:

Resolved by the House of Representatives, (the Senate concurring herein,) That on to-morrow at 12 o'clock, we meet in the Representative Hall for the purpose of electing, by joint ballot of both Houses, a public printer for the purpose of printing the proceedings of both Houses of the General Assembly.

On the question,

Will the House adopt said resolution?

It was decided in the negative.

On motion of Mr. Dawson,

Resolved, That a select committee be appointed to receive proposals for printing for the use of this House during the present session, and they make report accordingly.

Ordered, That Messrs. Dawson, Blackwell and Fithian be that committee.

On motion of Mr. Cloud,

Resolved, That the Editor of the Vandalia Whig, or any person employed by him, be admitted within the bar of this House, for the purpose of reporting the proceedings for the Vandalia Whig.

The motion to lay the resolution providing for the printing of 4000 copies of the Acting Governor's message, which was pending when the House adjourned last evening, being taken up;

On the question,

Shall said resolution be laid upon the table?

It was decided in the negative.

Mr. Cloud moved to amend the resolution, by striking out 4,000 and inserting 2,000.

Mr. Dubois moved to amend the amendment by inserting 1,000.

Mr. Thomas called for a division of the question.

On the question,

Shall 4,000 be stricken out?

It was decided in the affirmative.

Mr. Webb moved to fill the blank with 3,000.

Mr. Stuart moved to lay the resolution, together with the proposed amendments upon the table;

Which was not agreed to.

The question then recurred upon the motion of

Mr. Webb, to fill the blank with 3,000.

Which was determined in the negative.

The question then recurred on the motion of

Mr. Cloud, to fill the blank with 2,000;

Which was agreed to.

The resolution as amended, was then adopted.

A message from the Senate by Mr. White, their Secretary.

"MR. SPEAKER—I am directed by the Senate, to inform the House of Representatives, that they have concurred with them in the adoption of the resolution from the House of Representatives, having for its object an invitation to the judges of the Supreme Court, to take a seat within the bar of the House at the inauguration of the Governor and Lieutenant Governor elect; as amended by them, which amendment is as follows:

Add after the word "Court" the words "and the Judge of the District Court of the United States;" in which amendment they ask the concurrence of the House of Representatives.

On the question,

Will the House concur in the amendment of the Senate, to said resolution?

It was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

Mr. Wyatt, from the joint committee appointed to wait upon the Governor and Lieutenant Governor elect, reported:

That they had discharged the duty assigned them, and had received for answer—that the Governor and Lieutenant Governor elect, would meet both Houses in the Representative Hall at 11 o'clock this day and take the oaths of their respective offices.

On motion of Mr. Cloud,

Resolved by the House of Representatives, (the Senate concurring herein,) That a joint committee of both Houses be appointed to draft and report joint rules for the government of both Houses.

Ordered, That Messrs. Cloud, Manly and Thomas be the committee on the part of this House—that the Clerk inform the Senate thereof, and ask their concurrence therein.

And then the House adjourned until 11 o'clock, A. M.

11 o'clock, A. M.

House met pursuant to adjournment.

At the hour appointed, the Senate, preceded by their Speaker, appeared in the Representative Hall: whereupon,

The Honorable Wm. Wilson, Chief Justice of this State, administered to Joseph Duncan, the Governor elect, the following oath:—

“You do solemnly swear, that you will faithfully execute the office of Governor of the State of Illinois, and that you will support the Constitution of the United States, and to the best of your ability, will preserve, protect and defend the Constitution of the State of Illinois.”

The oath of office was then administered to Alexander M. Jenkins as Lieutenant Governor, by the Chief Justice;

When the Governor arose, and delivered the following speech to both Houses of the General Assembly.

*Gentlemen of the Senate, and
House of Representatives:*

It is indeed with unaffected humility, and a deep sense of my incapacity for the important duties of the high office to which the voice of my fellow-citizens have called me, but with a gratitude which I can find no language adequate to express, united with a zeal which can never experience abatement in their service, that I enter upon my present duties.

Having been absent from the State a greater part of the last seven or eight years on public duties, and detained on my journey home, after my election, by the ill health of my family, I have found it impossible to possess myself with such an acquaintance with the affairs of the State, as will enable me to present such a view of them as I would wish, and which may perhaps be expected from me; but in the judgment and experience of you, gentlemen of both houses of the Legislature, I repose the fullest confidence, and from your familiar acquaintance with the wants of the people, and your patriotic devotion to the interest of our State, I look for the suggestion and adoption of such measures, as will best promote their prosperity and happiness: for the accomplishment of which I earnestly invoke the assistance of the Great Ruler of the Universe, and I pledge my most unwavering exertions, and hearty co-operation with you, in every measure calculated to accomplish it.

Illinois was the first, or among the first of the States, to adopt the humane and benevolent policy of abolishing imprisonment for debt, and the absurdity of placing misfortune upon a level with crime has never blotted our stat-

ute books. By thus depriving the heartless of the temptation and the power to persecute, under color of law, we have the satisfaction to witness a happy and prosperous community, in which every honest man, however poor, has his liberty secured to him, while the rich are comparatively free from a spirit of tyranny,—a vice that is always engendered where the law can be made an instrument of oppression. It is gratifying to observe that this liberal principle is diffusing itself and that some of our sister States have recently adopted it into their constitutions.

It appears to me that the time has arrived, when this benevolent policy might be extended still farther, by exempting from execution, (for all debts contracted after the passage of the act,) a few acres, or a lot of land, with its improvements, so long as the family shall continue to occupy them as a place of residence. Such an act would have a tendency to induce every family, however poor, to procure a permanent home, and would further tend to render our population more stationary, and to secure the families of the unfortunate against those casualties and misfortunes to which we are all liable, and which fall too frequently upon the widow and her children, at a time when their helpless and desolate situation should render them the peculiar objects of our sympathy. As such a law would be prospective no fraud could grow out of it, while all would feel the beneficial influence of rendering every family independent, and every man responsible to the society in which he lives for the proper education of his children, and the moral conduct of himself and family.

As every country is prosperous and respected in proportion to the virtue and intelligence of its inhabitants, the subject of education will doubtless again form an important part of your deliberations. The State possesses a fund devoted to this purpose, amounting to something over one hundred thousand dollars. As this amount, if invested in stocks, is too small to produce an annual income at all proportionate to the wants of the present generation, I would recommend that a system be adopted, by which the amount of this fund may be divided equally among the people, and applied to the purposes of education, which may also provide for the future division, upon the same principle, of such other sums as may hereafter be derived from the United States, on account of the three per cent. set a-part from receipt on sales of the public lands, the school sections, and such other sources as can, with propriety, be provided.

In a State like this, many parts of which are sparsely settled by people encountering those difficulties incident to the improvement of a new country, it would be wrong to think of accumulating a fund out of our present resources, for the exclusive education of future generations; while those, who are in a few years to give character to our society, and to direct the operations of our government, are permitted to grow up without the possibility of obtaining an education—that greatest of human blessings.

It becomes us to use every exertion in our power to instruct those who are immediately dependent upon us, and leave to those who come after us, the rich revenues to be derived from the lands, canals and other improvements, to form a permanent fund to carry out any plans you may now adopt for the purposes of education.

This view of the case derives force from the fact, that the general government in setting apart this fund and a portion of the public land for education, intended it as an inducement to the early settlement of the country. It would seem unjust therefore, that those who have done so much to fill the national treasury, and advance the interests of the country, should be compelled to witness a fund, intended as a reward for their labors and sacrifices, laid by for the benefit of those who may come after them.

A government like ours, controlled and carried on by the will of the people, should be careful to use all the means in its power, to enlighten the minds of those who are destined to exercise so important a trust. This, and every consideration connected with the virtue, elevation, and happiness of man, and the character and prosperity of our State, and of our common country, calls upon you to establish some permanent system of common schools, by which an education may be placed within the power, nay, if possible, secured to every child in the State. As the first establishment may from want of experience, be attended with difficulty and loss, it may be found most expedient to commence the system while the funds are small, so that when they increase, we may have acquired experience by which they may be employed more judiciously.

The State has also at its disposal, a considerable fund for the establishment and support of colleges, institutions of learning of a more liberal character, (although of less vital importance than a system of common schools, and are second only to them in importance. Nor can the inestimable value

of education be properly appreciated, until provision is made for instruction in the higher branches of literature. The subject is one whose importance will doubtless recommend it to your serious consideration.

The acts heretofore adopted by the legislature, for granting pre-emption claims to the settlers on the seminary lands, appears to me to have been passed under a mistaken view of the object and condition of the grant, and of what was due to the public and to the nation who gave them. These lands were to be selected by the State for a specific purpose. It is the duty of the legislature faithfully to carry it into effect. Pre-emption rights are given by Congress for reasons of policy, connected with the value and sale of the public lands. It is the interest of the general government, which owns a great and almost unbounded tract of wild lands, to enhance their value and expedite their sale, by inducing our enterprising citizens to go in advance of the sales, form settlements, and prepare the way for those who are more able to purchase. It should be the duty of the legislature on the contrary, faithfully to execute the trust confided to them, and to sell those lands which were given for the common benefit of our citizens, for the full value, which their quality or location may impart to them.

The present is a favorable time to commence a general system of internal improvements. Our State is comparatively in its infancy, and if roads, trackways, rail roads, and canals, are now laid out, they can be made straight between most of the important points, with very little expense and difficulty, compared with what will result, if their location is postponed until lands increase in value, and settlements are formed on roads which are now in use, or which are daily making.—When such settlements are formed, however unfavorable may be their location, or indirect their route, experience proves that it is extremely difficult to make private interests and prejudices give way to public convenience. To accomplish so desirable an object either, as it relates to the convenience, beauty, or commerce of our country, it may be expedient for the legislature to make an appeal to the justice of Congress, for a grant of the right of way and a small tract of the public lands through which all the canals and great public roads made, or authorized to be made, by the State, shall pass.

The construction of a canal from Chicago, on Lake Michigan, to the Illinois river, has long occupied the public attention; and the time has arrived, in my opinion, when a proper

respect for the interest of this, and all the States, requires that the work be commenced and completed without further delay.

It is now more than seven years since Congress made a grant of land which was then supposed to be sufficient for the construction of this canal; which canal was then, and is now, generally considered a work of greater national importance than any work of the kind that has yet been proposed to be made in our country. Such is the universal estimate of its importance by all men of intelligence, that I have no hesitation in believing that ample funds can be procured on the most favorable terms, for its speedy accomplishment. I would, therefore, suggest the propriety of reserving all the lands on the route from sale, except town sites, which it might be well to lay out into lots, and dispose of in part; and I most earnestly recommend that a loan or loans be effected, to commence the work, and after the value of the lands, so reserved, shall have been expended, I have no doubt Congress will make another appropriation to complete, or assist in completing it.

This recommendation has not been made without duly weighing its importance, and deliberately estimating the difficulties and expense which must attend it.

No one who has visited the different canals and rail roads in the United States, and compared the country through which they pass, with the fertile lands which lie between the Lakes and the Mississippi, to say nothing of the unbounded country that is washed by the twenty-five thousand miles of river and lake navigation, which this canal will unite by the shortest and most certain route that can possibly be made, can doubt that it will yield a larger profit upon its cost, in a very few years than any other work of the kind that has ever been, or can be, constructed in this country.

In commencing this great work it should be borne in mind, that its utility and success, as well as its expense, will greatly depend upon the kind of improvement that the legislature shall adopt, and upon the plan of its construction. Of the different plans proposed, I find that the board of canal commissioners and my worthy predecessors, have recommended a rail road, in which I regret that I am compelled to differ with them in opinion.

In my judgment, experience has shewn canals to be much more useful, and generally cheaper of construction, than rail roads. When well made they require less expensive repairs, and are continually improving, and will last forever; while

rail roads are kept in repair at a very heavy expense, and will last but about fifteen years. In the present case especially, a canal should be preferred, because it connects by a short and direct route, two great navigable waters, that wash the shores of most of the States and Territories of the United States and British Provinces of North America; and thus opening a commerce between the remotest parts of the continent. By using the lake as a feeder to this canal a large body of water will be turned into the Illinois river, which will improve its navigation, and by increasing the current will, probably, render its shores more healthy.

An additional argument in favor of a canal, which should justly have great weight with you, is to be found in the fact, that it puts it in the power of every farmer to carry his own produce to market, which renders him independent of that monopoly which must always control the transportation on rail roads. There appears to be but little force in the present case, in the argument commonly used in favor of rail roads; that transportation upon them is uninterrupted in winter—as this canal will be open several weeks longer in the fall and spring than either the lake or river, consequently no inconvenience can result from its closing, especially, as at that season the roads will be sufficiently good to accommodate all the traveling which will be required.

It is very desirable in the commencement of this work to lay the foundation, if possible, of a steam boat canal, as there can be no doubt that such a channel will be required in a very few years, to accomodate the commerce of this country. The New York canal already has been found at some seasons of the year, insufficient to pass the produce on its borders to market, and it is now contemplated, either to construct an other on the same route or to widen the old channel.

With such facts before us, when we consider the great superiority in point of soil, and extent of territory, of the country to be accommodated by the Illinois canal, we cannot doubt the necessity of some early period, of making it wide enough for steam boats to pass. I would, therefore, suggest the propriety of giving such a channel to that portion of the canal which lies in the valley of the Illinois and Duplane rivers, embracing about seventy miles of the route, and which, it is believed, can be made sufficiently wide for any purpose, at very little if any additional expense. The cut through the summit level will

be most expensive, and can be widened at a future period, when it shall be found necessary.

It is no argument, either against the work, or the scale proposed, that the country is new, and parts of it comparatively unsettled. The country through which the great New York canal passes, was, at the period when that work was constructed, a wilderness, covered with a heavy growth of timber. In a few years these heavy forests have been subdued, and the country brought to a state of cultivation that is not surpassed in any part of America. Towns and cities have sprung up as if by enchantment; agriculture, and the mechanical arts are richly rewarded, and are already carried to the highest degree of perfection.

The slightest reflection upon the ease with which our prairies may be brought under cultivation, compared with the labor, expense, and delay which attend the clearing and cultivating a heavy timbered forest, must convince the most sceptical of the splendid results which will follow from the completion of a work, that will enable us to sell at an increased value, our agricultural, mineral, and other productions.

But is not merely in the ease with which farms are opened, that the superiority of the agricultural prospects of this State consist. The fertility of the soil yields a rich product; its lightness renders it easy of cultivation, while its depth almost certainly secures the prudent and industrious farmer against those vicissitudes of the season which so frequently destroys the crops in other countries.

Judging of the future by the past and present rapid improvement, which is every where in progress in our State, and estimating its future population, by the inexhaustible resources of the country, and by the flood of enterprising citizens pouring into it from every quarter of the civilized world, the imagination is lost in contemplating the millions of happy and independent people which it is destined to sustain, and whose surplus produce will scarcely find room to float upon the majestic rivers, the Mississippi and St. Lawrence, flowing to the north and to the south, which Providence, in the fullness of its beneficence, has provided on a scale only equalled by the vast country they are destined to accommodate.

An extensive commerce has grown up on several of our rivers, especially the Illinois and Wabash, which renders the improvement of their channels a subject of deep interest, and will doubtless receive a portion of your deliberations.

By the ordinance of 1787, both of these streams and the carrying places between them and the Lakes, are declared and made public highways, to be kept open for the use of all the States. In conformity with this ordinance, Congress have made large grants of land to improve the carrying places, and will doubtless hereafter extend their aid for the improvement of those noble rivers. At the late session a bill passed both houses of Congress, making a liberal appropriation in money for improving the channel of the Wabash river, which the President refused to approve, and it did not become a law; but as his opinion must have been hastily formed, I have no doubt, (as in the case of the Chicago harbor,) he will review his decision, and sign a bill should Congress again pass one for this object.

Among the great works of internal improvement now in progress, which are calculated to bind all the States of our happy Republic in the bonds of friendship and perpetual union, this State has a deep interest in the success of a rail road about to be constructed by the State of New York, along the the southern tier of counties in that State, from the Hudson river to lake Eric, and which is intended to be continued, or to form a part of a rail road from New York to the Mississippi. The corps of Engineers who have examined and surveyed this route, give the most favorable account of the practicability and cheapness of the work, and hold out great hopes of its early completion. Should it be practicable to unite with New York, Pennsylvania, Ohio and Indiana, in forwarding this great improvement, I am certain it will be your pleasure to do so.

Should you pass an act for constructing the canal between the lake and Illinois river, I would suggest the propriety of setting apart the entire revenue arising from it, for the promotion of Education. Nothing in my opinion could be so unwise, or more fatal to the purity of our government, than to have so large a sum as must eventually arise from this source, introduced into the Treasury. Men in power, having the control of such unlimited means, are too prone to acquire habits of extravagant and prodigal expenditure, and to create places for partisans and favorites, with less reference to the public interest than for the purpose of corrupting those who they can use in promoting their schemes of self-aggrandizement. Nor is it desirable that the people should be entirely relieved from the burden of supporting the government, lest they might become indifferent to its administration, careless in selecting

their officers, and less vigilant in scrutinizing their public conduct. To keep the government poor, and the people rich, is a political maxim which ought never to be forgotten by those who are charged with preserving the purity of our institutions, and jealously guarding those democratic republican principles in our constitution, which secure the rights, the power, and freedom of the People.

Should it be considered expedient to establish a bank, (a measure I cannot at present advise,) I would suggest the propriety of providing, that, in no event, should more than six per cent. per annum be divided to the stockholders, and that the stock be sold at public auction to the highest bidder, and the advance on it put into the State Treasury. Banks may be made exceedingly useful in society, not only by affording an opportunity to the widow, the orphan and aged, who possess capital without the capacity of employing it in ordinary business, to invest it in such stock; but by its use the young and enterprising mechanic, merchant and tradesman, may be enabled more successfully to carry on his business, and improve the country. But unfortunately, banks are too often established to benefit the rich speculator, with no reference to the interest and convenience of the industrious poor, which has justly excited a jealousy among the people against all banks, and should admonish us to be exceedingly careful in the first permanent introduction of them into our State.

That we should be divided in opinion on those great questions of power and public policy, which have recently divided, and which are agitating the whole nation, and threaten to shake it to its centre, is no more than is to be expected; but as none of us can claim to be perfect, we should judge charitably of the motives and lights that may influence the judgment of those with whom we may differ in opinion. In this spirit alone can we expect success, in our exertions to promote those interests which, I am certain, we all most earnestly desire.

In conclusion, permit me again to urge, that no party spirit shall be permitted to distract and interrupt our councils, or to interfere with our duties and obligations to those we represent. With proper forbearance and harmony, under the favor of that All-wise, All-mighty, and perfect Being, who directs and governs the Universe, we may hope to accomplish some good for our country, and leave unimpaired that constitution which each of us has sworn to support.

JOSEPH DUNCAN.

Mr. Gordon moved to lay the speech of the Governor upon the table, and that 5,000 copies be printed for the use of this General Assembly.

Mr. Thomas moved 2,000.

On the question,

Shall the speech be laid upon the table, and 5,000 copies be printed for the use of this General Assembly?

It was decided in the negative; yeas 11—nays 43.

Those voting in the affirmative, are,

Messrs. Blackwell, Cloud, Dougherty, Dubois, Dunn, Gregory, Gordon, Hughes, Link, Webb and Wren—11.

Those voting in the negative, are

Messrs. Able, Anderson, Blockburger, Brown, Bowyer, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cunningham, Dawson, Elliott, Ficklin, Fithian, Frazer, Hamlin, Hackelton, Harris, Hampton, Harreld, Henry, Hunt, Hunter, Lincoln, McGahey, McHenry, Moore, Murphy, Nunnally, Oliver, Outhouse, Owen, Ross, Rowan, Stuart, Thompson, Thomas, Trower, Tunnel, Vandevanter, Whiteside, Wyatt, and Mr. Speaker—43.

Mr. Rowan moved 3,000.

Mr. Dunn moved 4,000;

Which was not agreed to.

The question then recurring on Mr. Rowan's motion to print 3,000;

It was not agreed to.

Mr. Dunn moved to print 2,500;—not agreed to.

The question then recurring on the motion of Mr. Thomas to print 2,000,

It was decided in the affirmative.

The House then adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

Mr. Gordon gave notice that on Saturday next, or some day thereafter, he should ask leave to introduce a bill, authorizing three or more additional election precincts in Morgan County.

Mr. Blockburger gave notice that he would, on Monday

next, or some day thereafter, ask leave to introduce a bill, entitled "an act to provide for the election of County Recorders and County Surveyors."

Mr. Gordon moved to reconsider the vote heretofore taken on the adoption of the resolution, authorizing the Clerk to call to his aid an assistant when necessary;

Which was not agreed to.

Mr. Dubois, proposed for adoption the following resolution:

Resolved by the House of Representatives, That a committee of two be appointed to invite His Excellency, the Governor of this State, to take his seat within the bar of this House during the present session of the General Assembly.

Mr. Blockburger moved to amend the resolution, by adding the Judges of the Supreme and District Courts.

Which was not agreed to.

The resolution was then adopted.

Ordered, That Messrs. Dubois and Hughes be that committee.

Mr. Ross gave notice that on Monday next, or some day thereafter, he would ask leave to introduce a bill, entitled "an act, concerning public roads."

Mr. Stuart gave notice that on Monday next, or some day thereafter, he should ask leave to introduce a bill, entitled "an act concerning Estrays."

Mr. Thomas gave notice that on Tuesday next, or some day thereafter, he should ask leave to introduce a bill, to provide for the compensation of Grand and Petit jurors.

Mr. Rowan gave notice that on Tuesday next, or some day thereafter, he would ask leave to introduce a bill, to amend the law regulating wills and testaments.

Mr. Gordon proposed for adoption the following resolution:

Resolved by the General Assembly of the State of Illinois, That our Senators be instructed, and our Representatives in Congress requested, to use their exertions to procure the passage of a law, authorizing ports of entry to be established at Beardstown on the Illinois river, and at Darwin on the Wabash; as also at Galena in this State.

Mr. Rowan moved to amend said resolution, by adding, "and Shawneetown," after Galena.

Mr. Stuart moved to amend the proposed amendment, by adding "Pekin in Tazewell county," after Shawneetown.

Mr. Dougherty moved to commit said resolution and propo-

sed amendments, to a committee of the Whole House, and made the order of the day for to-morrow;

Which was not agreed to.

Mr. Hamlin moved to lay the resolution and proposed amendments upon the table;

Which was agreed to.

Mr. Gregory gave notice that on Saturday next, or some day thereafter, he would ask leave to introduce a bill for the sale of the School lands selected in lieu of the sixteenth sections in fractional townships, lying upon the Illinois and Mississippi rivers, in Green county.

Mr. Bowyer gave notice that on Thursday next, or some day thereafter, he should ask leave to introduce a bill, to alter the mode of assessing taxable property.

Mr. Link gave notice that on Monday next, or some day thereafter, he should ask leave to introduce a bill for the purpose of amending an act, entitled "an act, prescribing the mode of trying the right of property," approved January 29th 1827.

On motion of Mr. Thomas,

Resolved by the Senate and House of Representatives, That a joint committee be appointed to draft a memorial to Congress, upon the subject of the public lands.

Ordered, That Messrs. Thomas, Ross and Butler be that committee on the part of the House; and that the Clerk acquaint the Senate therewith and ask their concurrence therein.

Mr. Rowan proposed for adoption the following resolution, viz:

Resolved by the House of Representatives, That the Governor of this State, be requested to communicate to this House, all the information in the several departments of the Executive, relative to funds belonging to the State, donated and held for the purposes of Education; including the amount received from the United States, of the three per cent fund—the amount received from the sales of Seminary lands—and the amount due from the United States, (if any)—and the amount due from the State to the school fund—and at what rate of interest said school fund is borrowed by the State.

Mr. Gordon moved to amend the resolution, by adding "also the quantity of Seminary lands, belonging to this State, which remain unsold,"

Which was agreed to;

And then the resolution, as amended, was adopted.

Mr. Wyatt gave notice that on Friday next, or some day

thereafter, he would ask leave to introduce a bill for an act to change the mode of choosing the State's Attorneys in the several districts in this State.

On motion of Mr. Anderson,

Resolved, That the thanks of this House, be tendered to John Reynolds late Governor of this State, for the able and patriotic administration of the Executive department for the last four years.

On motion of Mr. Gordon,

Resolved by the House of Representatives, (the Senate concurring herein,) That a joint committee of both Houses be appointed to prepare a memorial to Congress, praying for an appropriation in money, to clear out the obstructions to the navigation of the Mississippi, Illinois and Wabash rivers.

Ordered, That Messrs. Gordon, Ficklin and Owen, be the committee on the part of this House—that the Clerk inform the Senate thereof, and ask their concurrence therein.

On motion of Mr. Cloud,

Resolved, That the Governor be requested to communicate to the House of Representatives, all the information that he can obtain in the Executive department, by corresponding with the officers, the amount of the debt or debts that are unpaid and standing against the State;—also, the amount of revenue, annually paid into the State Treasury, and the probable annual decrease in the State revenue.

On motion of Mr. Stuart,

Resolved, That the Governor be requested to inform this House, whether a patent has issued to George E. Walker, for his pre-emption on the canal land, as also the description of the land conveyed by said patent, and whether it be at the termination of the canal route;—and also, whether a patent has issued to James B. Campbell.

Mr. Thompson gave notice that on ———day next, or some day thereafter, he should ask leave to introduce a bill for an act to “amend an act, regulating the salaries, fees and compensation of the several officers therein mentioned.”

Mr. Link proposed for adoption the following resolution:

Resolved, That the thanks of this House be given to his Excellency the Governor, for the able, interesting and lucid document by which we have this day been honored; and to the Hon. Wm. Lee D. Ewing, late Acting Governor of the State, for the very able and interesting message, by him laid before this House.

Mr. Henry moved to refer said resolution to a select committee of three.

Mr. Thompson moved that the House adjourn;

Which was not agreed to.

The question then recurring on the motion of

Mr. Henry, to refer said resolution to a select committee of three;

It was decided in the negative.

On motion of Mr. Dunn,

Said resolution was laid upon the table.

Mr. Dubois moved that the House adjourn;

Which was not agreed to.

Mr. Wyatt gave notice that he should, on Monday next, or some day thereafter, ask leave to introduce a bill for an act to amend an act, entitled an act regulating enclosures.

Mr. Dougherty gave notice that he should, on Monday next, or some day thereafter, ask leave to introduce a bill for the equitable distribution of the School fund.

On motion of Mr. Dunn,

Resolved by the House of Representatives, (the Senate concurring herein.) That the two Houses meet in the Hall of the House of Representatives, on the —— day of ——, to elect by joint ballot, a Senator to the Congress of the United States, for the next consecutive six years, after the expiration of the present term of the Hon. J. M. Robinson.

Mr. Manly moved to fill the blank with the 4th inst.

Mr. Dougherty moved to fill the blank with the 29th inst.

Mr. Cloud moved to reconsider the vote on the adoption of the resolution;

Which was not agreed to.

Mr. Ficklin moved to fill the blank with the 3th inst.

The question recurring upon the motion to fill the blank with the 29th;

It was decided in the negative.

The question then recurring upon the motion to fill the blank in the said resolution with the 8th inst.

It was decided in the negative.

Mr. Blackwell, moved to fill the blank with the 15th inst.

Mr. Stuart moved to re-consider the vote on the adoption of the resolution;

Which was not agreed to.

The question then recurring upon filling the blank in the resolution with the 15th inst;

It was decided in the negative.

Mr. Ficklin moved to fill the blank with the 6th inst.

Which was agreed to.

Ordered, That the Clerk inform the Senate thereof, and ask their concurrence in the adoption of the same.

Mr. Whiteside moved that the House adjourn;

Which was not agreed to.

On motion of Mr. Thomas,

Resolved, That the committee appointed to receive proposals for printing, &c., be authorised to contract for the necessary printing on the part of the House during the present session, except the Laws and Journals.

On motion of Mr. Hackelton,

The House then adjourned.

THURSDAY, *December 4*, 1834.

House met pursuant to adjournment.

Mr. Wyatt, from the select committee appointed to draft rules for the government of this House, reported that they recommended for adoption, the rules and regulations of the last House of Representatives, with the following amendments thereto, to wit:

Strike out the 31st rule entirely, and insert,

“That any member may, at any time, introduce any bill without previous notice, having first obtained leave of the House, for that purpose.”

And also,

After the word Salines, in the 45th rule of the last House, insert the words, “and on the Penitentiary.”

On motion of Mr. Thomas,

Said report was committed to a committee of the Whole House, and made the order of the day for this day.

A message from the Senate by Mr. White, their Secretary.

“MR. SPEAKER—I am directed to inform the House of Representatives, that the Senate have passed the following joint resolutions, in which they ask the concurrence of the House of Representatives:

Resolved by the Senate, (the House of Representatives concurring herein,) That a joint committee be appointed to draft and report joint rules for the government of the two Houses; and that

Messrs. Thomas and Mather, are appointed on the part of the Senate.

Resolved by the Senate (the House of Representatives concurring herein,) That a joint committee be appointed to contract for the printing of the two Houses during the present session; and that

Messrs. Gatewood, Stephenson and Taylor, are appointed on the part of the Senate.

The Senate have concurred with the House of Representatives in the passage of the joint resolution, having for its object the appointment of a joint committee to draft a memorial to Congress on the subject of the public lands; and have appointed

Messrs. Bond and Noel, the committee on the part of the Senate.

And then he withdrew.

Mr. Dougherty, proposed for adoption the following resolution:

Resolved, That all the printing required by the Legislature, and the printing of all the public documents, legitimately devolves on the public printer and cannot, without the aid of a law to that effect, be transferred to another printer, without a palpable violation of the first principles of law and justice.

Which was not agreed to.

Mr. Moore gave notice that on Monday next, or some day thereafter he should ask leave to introduce a bill to enable the Sheriff of the county of St. Clair, to collect the tax of the year 1829, which remains uncollected.

The resolution from the Senate, having for its object the appointment of a joint committee to draft rules for the government of the two Houses,

Was then taken up; and

Upon the question,

Will the House concur with the Senate in the adoption of said resolution?

It was decided in the affirmative.

Ordered, That Messrs. Cloud, Manly and Thomas, be the committee on the part of the House.

Ordered, That the Clerk inform the Senate thereof.

On motion of Mr. Wren,

The House resolved itself into a committee of the whole house, to take into consideration the report of the select committee appointed to draft rules for the government of the House.

Mr. Stuart in the Chair; and after some time spent therein,

Mr. Speaker resumed the chair, and

Mr. Stuart reported,

That the committee of the whole house, had, according to order under consideration, the said report, and had concurred in the recommendation of the report of the select committee.

On the question,

Will the House concur in the report of the committee of the Whole House?

It was decided in the affirmative.

Mr. Dougherty asked and obtained leave to introduce a bill for an act, entitled,

"An act providing compensation for Grand Jurors;"

Which was read the first time; and

Ordered to a second reading.

Mr. Stuart moved that the rules of the House be dispensed with, and that the bill be now read a second time by its title.

Which was not agreed to.

On motion of Mr. Wyatt,

Resolved, That the Clerk of this House, make out a copy of the rules as amended, and procure the printing of fifty-five copies for the use of this House.

Mr. Speaker, pursuant to a rule of the House, appointed the following standing committees; namely:

On the Judiciary—Messrs. Dunn, Stuart, Thomas, Dougherty, Ficklin, Owen and Manly.

On Finance—Messrs. Whiteside, Hackelton, Ross, Moore, Link, Webb and Blackwell.

On Elections—Messrs. Cloud, Able, Vandevanter, Blockburger, Bowyer, Frazer and Carpenter of Sangamon.

On Petitions—Messrs. Stuart, Outhouse, Able, Butler, Thomas, Cunningham and Tunnel.

On Propositions and Grievances—Messrs. Anderson, Hunt, Clark, Oliver, Manly, Hunter and Carpenter of Hamilton.

On the Militia—Messrs. Wyatt, Nunnally, Harris, Thompson, Henry, Elliott and McHenry.

On Internal Improvements—Messrs. Dawson, Hamlin, Butler, Brown, McGahey, Wyatt and Dunn.

On Education—Messrs. Gregory, Gordon, Trower, Frazer, Hackelton, Murphy and McGahey.

On Salines—Messrs. Rowan, Fithian, Harreld, Hunter, Hampton, Gordon and Wren.

On Public Accounts and Expenditures—Messrs. Hughes, Lincoln, Blackwell, Harris, Nunnally, Dubois and Link.

On the Penitentiary—Messrs. Thomas, Link, Gordon, Ross, Moore, McGahey and Hamlin.

On motion of Mr. Cloud,

The House then took up the resolution, having for its object a memorial to Congress, praying certain ports of entry to be made in this State.

Mr. Stuart withdrew his proposed amendment.

Mr. Cloud moved that the said resolution and proposed amendment be referred to a select committee.

Mr. Dunn moved to amend said motion, by making it a motion to refer it to a committee of the Whole House, and made the order of the day for to-morrow;

Which was not agreed to.

The question recurring upon the motion to refer to a select committee.

It was decided in the affirmative.

Ordered, That Messrs. Cloud, Gordon and Rowan, be that committee.

Mr. Blockburger, proposed for adoption the following resolution:

Resolved, That the Governor be requested to furnish the House of Representatives of this State, all the information in his power, in relation to a memorial passed at the last session of the General Assembly, praying Congress to pass a general law for the government of the Militia of the United States, and what is likely to be the probable issue thereof;

Which was not agreed to.

Mr. Manly moved that the House adjourn until 2 o'clock, P. M.

Which was not agreed to.

Mr. Stuart, presented the petition of sundry citizens of Sangamon and McLean counties, praying the passage of a law, granting pre-emption rights to certain tracts of land therein described; and moved

That the reading be dispensed with, and that it be referred to the committee on Petitions;

Which was agreed to.

On motion of Mr. Thomas,

Resolved, That the committee on Education, be instructed to inquire into the expediency of establishing a common school system of education in this State; and that they report by bill or otherwise.

Mr. Dunn moved to re-consider the vote upon the joint resolution, having for its object, the election of a Senator to Congress on the 6th inst.

Which was agreed to. And upon

Motion of Mr. Dunn,

Said resolution was laid upon the table.

Mr. Thomas, presented the petition of the Administrators of James Mason, deceased, and guardian of the minor heir of said James Mason dec'd; and moved that the reading be dispensed with; and referred to the committee on Petitions;

Which was agreed to.

Mr. Thomas presented the petition of the Administrators of James Mason, dec'd., and moved that the reading be dispensed with, and referred to the committee on Petitions;

Which was agreed to.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock; P. M.

House met pursuant to adjournment.

On motion of Mr. Hamlin,

Resolved, That so much of the Governor's message, as relates to the constructing of a Canal between Lake Michigan and the Illinois river, be referred to the committee on Internal Improvements; and that they report by bill or otherwise.

On motion of Mr. Gregory,

Resolved by the House of Representatives, That so much of the Governor's Message, as relates to Education, be referred to the committee on Education, and that they report by bill or otherwise.

Mr. Gordon, proposed for adoption the following resolution:

Resolved by the House of Representatives, That the committee on elections be required to report a bill to amend the act, regulating elections, so as to authorize the county commission-

ers' courts of the several counties in this State, to grant compensation to the Judges and Clerks of special elections, and also to the Judges and Clerks of Justices of the Peace, and Constables elections.

Mr. Link moved to amend said resolution, by striking out all after the word "Resolved," and inserting the following,

"That the committee on Elections be required to examine the law regulating elections, and that they report by bill or otherwise.

Which was not agreed to. And,

O. motion of Mr. Henry,

Said resolution was laid upon the table.

On motion of Mr. Thomas,

Resolved, That a list of the standing committees of this House, be appended to and printed with the rules of this House ordered to be printed.

Mr. Dubois, presented the petition of Samuel Snyder, guardian of Philip and Willis Snyder infants, and heirs of Willis Snyder dec'd., praying the passage of a law authorising him to purchase certain real estate; and that it be referred to a select committee;

Which was agreed to.

Ordered, That Messrs. Dubois, Ficklin and McGahey, be that committee.

On motion of Mr. Thomas,

Resolved, That so much of the Governor's message, and late Acting Governor's message, as relates to criminal jurisprudence, be referred to the committee on the Judiciary:

So much thereof as relates to a State Bank, to the committee on Finance:

So much thereof as relates to the subject of Education, to the committee on Education:

So much thereof as relates to the law concerning judgments, and executions, to the committee on the Judiciary.

Mr. Thomas moved to take up the report of the Inspectors of the Penitentiary, and refer it to the committee on the Penitentiary;

Which was agreed to;

Mr. Speaker, in pursuance of a rule of this House, appointed Messrs. Cloud and Dubois, a committee on Enrolled bills.

The resolution from the Senate, having for its object the appointment of a joint committee to contract for the printing of the two Houses, during the present session,

Was now taken up; and

Upon the question,

Will the House concur with the Senate in the adoption of said resolution?

It was decided in the affirmative.

Ordered, That Messrs. Dawson, Blackwell, Fithian, McHenry and Anderson, be the committee on the part of the House.

Ordered, That the Clerk inform the Senate thereof,

Mr. Wyatt, proposed for adoption the following resolution;

Resolved, That the committee on Finance be instructed to inquire into the expediency of so altering or amending the revenue law, that the same shall have an equal operation on all the counties in the State; and that they report by bill or otherwise; which was not agreed to.

And then the House adjourned until to-morrow morning 10 o'clock.

FRIDAY, December 5, 1834.

House met pursuant to adjournment.

Mr. Whiteside moved to reconsider so much of the vote heretofore taken, as relates to the striking out of the 31st rule of this House;

Which was agreed to.

The question then recurring upon the motion

To strike out the 31st rule of the last House of Representatives, and inserting the one reported by the select committee appointed on that subject.

Mr. Thomas called for a division of the question; and,

The question being taken upon striking out said 31st rule,

It was decided in the negative.

On motion of Mr. Link,

Resolved, That the Auditor of Public Accounts be requested to report to this House, the number of acres of land sold at the Gallatin Salines;

The number of acres sold at the various prices as regulated by law, and the whole amount realized from such sales as a Penitentiary fund.

Also, the amount paid in by the Commissioner on the Penitentiary fund, and the amount drawn by the Inspectors of the Penitentiary from said fund, in addition to the special appropriation of ten thousand dollars heretofore made for the use of the Penitentiary.

On motion of Mr. Thomas,

Resolved, That so much of the message of the late Acting Governor as relates to an alteration in our Judiciary System, be referred to the committee on the Judiciary;

So much thereof as relates to the sales of non-resident lands for taxes, to the committee on Finance: and,

So much thereof as relates to Internal Improvements, to the committee on Internal Improvements.

Mr. Gordon proposed for adoption the following resolution:

Resolved, That a select committee be appointed to enquire into the expediency of so amending the law in relation to Justices of the Peace and Constables, so as to require of all appellants to the Circuit Court, to take an oath that the appeal is not taken for the purpose of delay, but to obtain justice;

Which was not agreed to.

Mr. Moore, proposed for adoption the following preamble and resolution, viz:

Whereas, By an Ordinance adopted by this State, at the time she became a member of the Union, it was provided by the 3d article of said Ordinance, that one sixth of three fifths of five per cent. of the nett proceeds of all lands sold in said State should be applied by the Legislature for a College or University; and by the fourth article it is further provided, that the proceeds of two entire Townships of land should, in like manner, be under the control of the Legislature for the support of a Seminary of learning.

And Whereas, It would be more beneficial to the people of this State, if the above specified funds could be appropriated for the support of Common Schools;

Thereupon:—

Resolved by the House of Representatives, (the Senate concurring therein,) That our Senators in Congress be instructed, and our Representatives requested to use their exertions to procure the repeal of so much of said Ordinance as requires the appropriation of the above funds, for the support of a College, or University and a Seminary of learning; and that the same be under the control of the Legislature, for the support

of Common Schools, and the consent of the State is hereby given to the same.

On motion of Mr. Thomas,

Said Preamble and Resolution were committed to a committee of the Whole House and made the order of the day for Monday next.

Mr. Hamlin presented the petition of sundry citizens of Cook County and others, praying for the appointment of Commissioners to survey and lay out a road from Chicago to Venus, in the county of Hancock, and thence to a point opposite the mouth of the river Des Moines.

Mr. Hamlin moved that the reading of the petition be dispensed with, and that it be referred to the committee on Petitions.

Mr. Thomas moved to amend the motion, so as to make it a motion to refer to the committee on Internal Improvements;

Which was not agreed to.

The reading of the Petition was then dispensed with, and the same referred to the committee on Petitions.

On motion of Mr. Manly,

Resolved, That the committee on the Judiciary, be instructed to enquire into the expediency of altering or amending the law in relation to attachments, and that they report by bill or otherwise.

Mr. Bowyer proposed for adoption the following resolution, viz:

Resolved, That the committee on the Judiciary, be instructed to enquire into the expediency of authorizing the Judges of Probate, or Justices of the Peace, to issue writs of Habeas Corpus, Ne Exeat and Injunctions.

On the question,

Will the House adopt said resolution?

It was decided in the negative.

On motion of Mr. Gregory,

Resolved, That a copy of the report of the Inspectors of the Penitentiary be furnished for the use of the Senate, and that the standing committee to whom said report has been referred, return the same until it can be copied.

Mr. Lincoln gave notice that he would, on Monday next, or some day thereafter, ask leave to introduce a bill, entitled "An act to limit the jurisdiction of Justices of the Peace."

Mr. Stuart proposed for adoption the following resolution, viz:

Resolved, That the committee on Internal Improvements, be instructed to report a bill incorporating a Company for the purpose of constructing a Canal to connect Lake Michigan with the navigable waters of the Illinois river, and that for the purpose of inducing capitalists to invest their money in said work, said bill shall contain a guarantee by pledging the faith of the State that the dividend on the stock invested in said work, shall equal six per cent. from the time of completing said work, for the space of ten years.

On motion of Mr. Hackelton,

Said resolution was committed to a committee of the Whole House, and made the order of the day for Thursday next.

Mr. Manly gave notice that he should, on Monday next, or some day thereafter, ask leave to introduce a bill for an act to amend "an act to extend the jurisdiction of Justices of the Peace;" approved December 29th 1826.

The Speaker laid before the House the Report of the Auditor of Public Accounts, shewing the Receipts and Expenditures at the Treasury during the two preceding years, ending with the last day of November 1834. Also, a communication from the same; which is as follows:

STATE OF ILLINOIS, AUDITOR'S OFFICE, }
Vandalia, 4th Dec. 1834. }

The Hon. SPEAKER
of the House of Representatives,

SIR,—In pursuance of the law requiring a biennial report of the Auditor of Public Accounts, I have the honor of submitting the enclosed statements numbered 1 and 2, shewing the Receipts and Expenditures at the Treasury during the two preceding years, ending with the last day of November, 1834.

I am, very respectfully,
JAMES T. B. STAPP,

Auditor.

[No. 1.]

Total amount of Receipts and Expenditures at the Treasury, from the 30th day of November, 1832, to the 1st day of December, 1834.

| <i>On what account received:</i> | <i>Amount.</i> | <i>Amount:</i> |
|---|--------------------|--------------------|
| Amount remaining in the treasury on the 30th day of November, 1832, | \$ 5,447 14 | |
| Amount received from non-residents from the 30th of November, 1832, to the 1st day of December, 1834, | 42,208 41 | |
| Amount received from Sheriffs during same time, | 21,496 81 | |
| Amount received from the sales of Vandalia Lots, | 230 81 | |
| Amount received from the sales of Vermilion Saline Lands, | 11,686 71 | |
| Amount received from the sales of the Gallatin Saline Lands, | 1,983 46 | |
| Amount received from the Agent of the Ohio Saline, | 1,163 09 | |
| Amount received into the treasury for debts due the State Bank and branches, | 6,893 79 | |
| Amount received from the sales of Canal Lands, | 312 50 | |
| Amount received from the sales of Seminary Lands, | 3,215 24 | |
| Amount receiv'd from the Revenue clerks, | 13,158 72 | |
| Amount received from the School Fund Commissioners, | 32,087 81 | |
| Amount received from James Hall, late Treasurer, | 571 84 | |
| Amount received from James B. Campbell, late Treasurer of the Canal commissioners, | 1,950 00 | |
| Amount of State paper funded at the Treasury, including interest allowed on the same, | 3,790 18 | |
| | <hr/> \$146,196 50 | |
| To this sum add the amount of redemption money in the treasury on the 1st day of December, 1834, | 877 96 | |
| Total amount, | 7 | <hr/> \$147,074 47 |

[STATEMENTS CONTINUED.]

| | | |
|--|--------------|--------------|
| From the above sum deduct the following payments out of the treasury, viz: | | |
| Amount of Audited Warrants paid at the treasury, from the 30th of Nov. 1832, to 1st December 1834, | \$106,270 61 | |
| Amount of Funded Stock redeemed. | 16,362 33 | |
| Amount of interest paid on State paper and money refunded, | 746 58 | |
| Amount of interest paid on funded stock redeemed at the treasury, | 44 43 | |
| Amount of interest allowed on paper funded at the treasury, | 171 08 | |
| Amount of taxes refunded on lands sold for taxes and redeemed, | 1,854 46 | |
| Amount of State paper burned from the 30th Nov. 1832, to the 1st Dec. 1834, | 5,897 50 | |
| Amount of interest paid on the loan of \$100,000 to the 1st day of Jan. 1835, | 15,090 00 | |
| Amount of interest allowed on State paper paid into the treasury on account of the State Bank, | 166 82 | |
| Amount paid Wm. H. Brown, Levi Davis and James Whitlock, for their services in settling the accounts of James M. Duncan, late Cashier of the State bank, | 174 00 | |
| | | \$146,777 81 |
| Leaving a balance in the treasury on the 1st day of December, 1834, of | | \$ 296 63 |
| <i>Redemption Account.</i> | | |
| Amount of Redemption money remaining in the treasury on the 30th Nov. 1832, | 50 06 | |
| Amount received from James Hall, late Treasurer, | 878 64 | |
| Amount of Redemption money received from the 30th Nov. 1832, to the 1st of Dec. 1834, | 6,160 92 | |
| | \$ 7,089 62 | |
| From this sum deduct the amount of Re- | | |

[STATEMENTS CONTINUED.]

| | | |
|--|-------------|-----------|
| redemption money paid during same time, | \$ 6,211 66 | |
| Leaving Redemption money in the treasury on 1st Dec. 1834, | | \$ 877 96 |

Amount of Audited Warrants drawn upon the Treasury from the 30th November, 1832, to the 1st day of December, 1834, for the current expenses of the State, and charged to the following accounts, viz:

| <i>On what account drawn.</i> | <i>Amount.</i> | <i>Amount</i> |
|--|----------------|---------------|
| The General Assembly Session, 1832 and 1833, | \$ 27,790 03 | |
| The Judiciary, | 9,893 70 | |
| The Governor, | 2,128 76 | |
| The Secretary of State, | 1,829 72 | |
| The Auditor and Clerks, | 3,485 00 | |
| The Treasurer and Clerks, | 3,255 58 | |
| The Attorney General, | 616 08 | |
| Circuit Attorneys, | 1,749 44 | |
| Special appropriations, | 18,753 31 | |
| The penitentiary, | 6,161 00 | |
| The militia, | 530 00 | |
| Appropriations for bridges, | 300 00 | |
| Appropriations for roads, | 2,296 64 | |
| Incidental expenses, | 1,625 82 | |
| State House, | 575 17 | |
| Contingent fund, | 8,297 88 | |
| Agent of the Ohio Saline | 350 00 | |
| Postage, | 868 50 | |
| Warden of the Penitentiary, | 715 05 | |
| Contingent fund, for the Penitentiary, | 800 00 | |
| Interest on funded stock, | 2,054 87 | |
| Appropriation for the Wabash river, | 5,000 00 | |
| The penitentiary Inspectors, | 364 00 | |
| The counties on the Military Tract, | 8,950 00 | |
| | | \$108,390 55 |

[STATEMENTS CONTINUED.]

| | | |
|--|-----------|-----------|
| Amount of outstanding Warrants against the Treasury on the 1st Dec. 1834, | 2,741 60 | |
| To which add the amount of the School Fund Warrant against the treasury, | 28,283 80 | |
| | 31,025 40 | |
| From this sum deduct the amount of money remaining in the treasury on the 1st Dec. 1834, | 296 66 | |
| Leaving a balance against the treasury on the 1st day of Dec. 1834, of | | 30,728 74 |
| The following are the sums due to the State, | | |
| From Sheriffs, which becomes due on the 1st Monday in March next, | 23,302 82 | |
| From Clerks, which becomes due on the 1st Monday in April next, | 12,502 44 | |
| Total, | 35,805 16 | |

STATE OF ILLINOIS, AUDITOR'S OFFICE, }
Vandalia, December 4, 1834. }

JAMES T. B. STAPP,

Auditor,

[No. 2]

A Statement of the amount drawn from the Treasury, on Account of the Contingent Fund, from the 30th November, 1832, to the 1st December, 1834.

Dolls. Cts.

| | | |
|--|-----|----|
| To Warrants to Messrs. Whiteside and Snyder, for conveying Indian prisoners to Ottawa, - | 153 | 16 |
| “ “ to Messrs. Whiteside, Moore, and Reynolds, for services in taking an account of and ascertaining the extent of the late Indian disturbances, - - - - - | 50 | 00 |
| “ “ to Messrs. Hopkins, Brown and Moore, for conveying Indian prisoners to Ottawa, - | 104 | 00 |
| “ “ to M. Wood, for bearing express during the late Indian War, - - - - - | 2 | 50 |
| “ “ to H. Evans, for mending press for seal of State, - - - - - | 10 | 00 |
| “ “ to S. & J. Francis, for printing notices &c. for raising troops in the late Indian War, - | 11 | 00 |
| “ “ to John Messinger, in part, for Surveying and establishing Northern boundary line of State, - - - - - | 200 | 00 |
| “ “ to Messrs. Greiner & Sherman, for printing Proclamation for Governor, - - - - - | 16 | 37 |
| “ “ to John Dickerson, for repairs to Secretary's Office, - - - - - | 2 | 50 |
| “ “ to Robert Peeples, for transporting public arms from Shawneetown to Danville, - | 45 | 20 |
| “ “ to John Marshall, for drayage and storage of public arms, - - - - - | 12 | 76 |
| “ “ to William Porter, for an abstract of lands entered at Springfield, furnished the Auditor, - - - - - | 7 | 65 |
| “ “ to James Whitlock, for recording for State, - | 3 | 18 |
| “ “ to Quarter Master Gen'l. for cleaning public arms, - - - - - | 29 | 00 |
| “ “ to John Y. Sawyer for printing, - - - - - | 8 | 25 |
| “ “ to A. M. Brailly for services in establishing Northern Boundary line of this State, - | 400 | 00 |
| “ “ to S. C. Christy, for storage of public arms, - | 50 | 00 |
| “ “ to Robert Goudy for binding laws of Congress, - - - - - | 141 | 00 |
| “ “ to John Messinger for services in establishing Northern Boundary line of this State, - | 347 | 10 |

[STATEMENT—CONTINUED.]

| | | |
|----|--|---------|
| To | Warrants to Thomas Reynolds, for services in collecting State arms, | 90 00 |
| " | " to James B. Campbell, for storage and taking care of public arms, | 50 00 |
| " | " to John Hewitt for conveying a message to Governor of Mo. demanding F. Hood a fugitive from Justice, | 20 00 |
| " | " to E. Breath for advertising notice in relation to State arms, and proclamation offering a reward for the apprehension of Payne, and Adj't. Gen'l's. notice for return of appraisement rolls, horses, arms &c. lost in Indian War, | 7 60 |
| " | " to Greiner & Sherman for printing 1000 copies of Journals Gen'l. Assembly session of 1832-33, | 1417 10 |
| " | " to Robert Goudy for binding Journals of Congress and Laws of New York, | 29 40 |
| " | " to Tho's Reynolds for collecting State arms, | 138 00 |
| " | " to William Mitchell for transporting State arms from Springfield to Alton, | 21 00 |
| " | " to R. K. Fleming for printing Gov'r's. proclamation for apprehension of N. Payne, | 7 50 |
| " | " to John Y. Sawyer for printing the Governor's address in relation to Cholera, | 10 00 |
| " | " to James Clark for transporting State arms from McComb to Beardstown, | 16 00 |
| " | " to S. Beaird for services as a messenger to the Governor of Missouri to demand fugitives from justice, | 75 00 |
| " | " to Wm. G. Brown, Wm. Mitchell and Jno. McLemore, for transporting State arms from Vandalia to Alton, | 108 00 |
| " | " to Jno Ewing for collecting State arms, | 63 00 |
| " | " to Sam'l C. Pierce, for cleaning and repairing State arms, | 64 13 |
| " | " to I. S. Berry for services in going to the Gov'r of Kentucky, to demand fugitives from justice, | 200 00 |
| " | " to Thomas Phillips for transporting arms from Ottawa to Alton, | 30 00 |
| " | " to Greiner & Sherman, for blank sheets furnished for binding laws, | 10 00 |

[STATEMENT—CONTINUED.]

| | |
|--|---------|
| To Warrants to M. W. Dorris for services in going to Gov'r of Mo. to demand certain fugitives from justice, and expenses in transporting said fugitives to Quincy, - - - - | 200 00 |
| " " to S. Beaird in full, for services in going to Gov'r of Mo. to demand certain fugitives from justice, - - - - | 25 00 |
| " " to John Y. Sawyer for printing general order in relation to arms, &c. - - - - | 3 00 |
| " " to Doolittle & Munson, for seal for Auditor's Office, - - - - | 48 25 |
| " " to Wm. H. Brown and John Tillson, for money paid into the Treasury to pay the interest on loan, - - - - | 2443 00 |
| " " to Wm. Thomas for postage paid on school land patents, - - - - | 4 00 |
| " " to S. C. Sherman and John Y. Sawyer, for printing an act of the Legislature of Indiana in relation to the improvement of the G. Wabash river, - - - - | 52 00 |
| " " to S. P. Gorin for freight and charges on a Map of N. Carolina sent to the Governor, - - - - | 4 75 |
| " " to T. C. Kirkman for recording the plat of the town of Vandalia, - - - - | 20 00 |
| " " to R. Goudy for binding Journals & Laws of different States, - - - - | 73 62 |
| " " to A. P. Field for expenses in sending a draft to St. Louis in favor of commissioners of school fund and for stationary for Secretary's Office, - - - - | 23 00 |
| " " to C. Jones & Co. for publishing Governor's proclamation for apprehension of N. Payne, - - - - | 4 50 |
| " " to Jacob Judy, Geo. W. Waters and Levi Davis in part, for services in selecting Seminary Lands, - - - - | 50 00 |
| " " to R. K. Fleming for printing Gov'r's proclamation for an election for Congressman in the 1st Congressional District, - - - - | 5 00 |
| " " to John Y. Sawyer for printing Gov'r's proclamation for an election for Congressman in the 1st and 2d Congressional district, - - - - | 20 00 |
| " " to S. C. Pierce for articles furnished for repairing and cleaning State arms, - - - - | 30 15 |

[STATEMENT—CONTINUED.]

| | |
|--|-------------------|
| To Warrants to Levi Davis, Geo. W. Waters and Jacob Judy, for services as commissioners in se- lecting Seminary lands, - - - | 327 00 |
| “ “ to E. Capps for transporting two muskets from Springfield to Vandalia, - - | 50 |
| “ “ to Robert Blackwell, Harvey Lee, William Linn, John Hall, Archibald Henry, James Black, James E. Howell and William J. Henry, for materials furnished, and work done on the State House, - - - | 501 31 |
| “ “ to W. B. Scates for legal services in three cases against Jas. M. Duncan, late Cashier. | 50 00 |
| “ “ to J. H. McLemore for transporting State arms from Vandalia to Alton, - - | 36 00 |
| “ “ to Wm. G. Brown for transporting State arms from Vermilion county to Alton, - - | 160 00 |
| “ “ to Buxton & Wolford for publishing Gov's proclamation for an election for a member of Congress in 3d district, - - - | 3 00 |
| “ “ to J. Bradley for services and expenses in collecting State arms, - - - | 150 00 |
| “ “ to J. M. Morse for repairing Treasurer's and Secretary's Office, - - - | 9 00 |
| TOTAL, - - - - - | \$8,297 88 |

AUDITOR'S OFFICE, ILLINOIS, }
Vandalia, December 4, 1834. }

JAMES T. B. STAPP,

Auditor.

Mr. Thomas moved to dispense with the reading of said report, that it be laid upon the table and 150 copies printed for this House.

Mr. Gordon moved to amend the motion so as to print 1,000;
Which was not agreed to.

Mr. Blackwell moved 300.

Mr. Rowan moved 500;

Which was agreed to.

The report was then laid upon the table and 500 copies ordered to be printed for the use of this House.

The Speaker laid before the House the Report of the Treasurer of this State, shewing the transactions of that office from 1st December 1832, to 30th November 1834, inclusive; which is as follows, viz:

TREASURER'S OFFICE, }
Vandalia, December, 4, 1834. }

SIR:—In conformity with the law, requiring a biennial report from the Treasurer, I have the honor to submit to the General Assembly the accompanying statement of the transactions of this office, from 1st December, 1832, to 30th November, 1834, inclusive; which presents the monthly receipts and disbursements, and an account current, shewing on what account the receipts and payments were made, and the balance remaining in the Treasury on the last mentioned day.

All of which is respectfully submitted.

JOHN DEMENT, *Treasurer*.

The Honorable,

The SPEAKER of the Senate.

Report of Receipts and Payments at the Treasury of the State of Illinois, from 1st December, 1832, to 30th November, 1834, inclusive.

Receipts.

1832. December, 10,235 83
1833. January, 14,580 03
“ February, 36,906 74
“ March, 1,489 05

Payments.

1832. December, 6,376 60
1833. January, 16,940 03
“ February, 10,228 60
“ March, 27,133 09

[STATEMENT—CONTINUED.]

| <i>Receipts.</i> | | <i>Payments.</i> | |
|--|---------------------|------------------|---------------------|
| " | April, 964 98 | " | April, 2,771 05 |
| " | May, 258 51 | " | May, 1,054 60 |
| " | June, 1,053 75 | " | June, 2,832 40 |
| " | July, 2,193 21 | " | July, 7,935 58 |
| " | August, 14,566 54 | " | August, 3,222 33 |
| " | September, 6,428 00 | " | September, 3,757 98 |
| " | October, 542 49 | " | October, 4,299 50 |
| " | November, 240 33 | " | November, 1,241 88 |
| \$89,459 46 | | \$88,293 64 | |
| 1833. | December, 2,958 08 | 1833. | December, 2,194 44 |
| 1834. | January, 14,341 96 | 1834. | January, 17,524 12 |
| " | February, 973 22 | " | February, 1,432 10 |
| " | March, 17,963 06 | " | March, 6,533 64 |
| " | April, 1,791 27 | " | April, 4,152 37 |
| " | May, 572 51 | " | May, 1,403 94 |
| " | June, 469 50 | " | June, 2,895 00 |
| " | July, 3,105 53 | " | July, 6,389 21 |
| " | August, 7,135 07 | " | August, 3,033 78 |
| " | September, 81 70 | " | September, 4,428 39 |
| " | October, 1,569 90 | " | October, 1,401 59 |
| " | November, 328 11 | " | November, 7,095 59 |
| \$51,289 91 | | \$58,484 17 | |
| 89,459 46 | | 88,293 64 | |
| \$140,749 37 | | \$146,777 81 | |
| Amount remain- ing in Treasu- ry on 30th No- vember, 1832, | | | |
| 5,447 14 | | | |
| Amount of Re- demption mo- ney remaining in Treasury 1st December 1834, | | | |
| 877 56 | | | |

[STATEMENT—CONTINUED.]

Receipts.

Amount received during years
1833 & 1834, \$147,074 47

Amount paid during same time 146,777 81

Balance remaining 30th November 1834, \$296 66

Payments.

Amount paid during same time \$146,777 81

JOHN DEMENT, *Treasurer.*

JOHN DEMENT, STATE TREASURER IN ACCOUNT
WITH THE STATE OF ILLINOIS.

Receipts.

To amount of balance in the Treasury on 20th November, 1832, \$ 5,447 14

To amount of taxes paid into Treasury from 30th November, 1832, to 30th November, 1834, inclusive, 42,208 41

To amount received from the sale of Vandalia lots, during the same time, 230 81

To amount received from Sheriffs during same time, 21,496 81

To amount received of School Fund during same time, 32,087 81

To amount received from State paper funded during same time, 3,790 18

To amount received for debts due the State Bank and Branches during same time, 6,893 79

To amount received from sale of Vermilion Saline Lands during same time, 11,686 71

To amount received from sale of Gallatin Saline Lands during same time, 1,983 46

[STATEMENTS CONTINUED.]

| <i>Receipts.</i> | |
|--|--------------|
| To amount received from Ohio Saline during same time, | 1,163 09 |
| To amount received from James Hall, late treasurer, | 571 84 |
| To amount received from sale of Canal lands during same time, | 312 50 |
| To amount received from sale of Seminary lands during same time, | 3,215 24 |
| To amount received from county Commissioners' Clerks, | 13,158 72 |
| To amount received from James B. Campbell, Treasurer of Canal Commissioners, | 1,950 00 |
| | \$146,196 51 |
| To this amount add redemption money remaining in Treasury on 1st December, 1834, as charged in Redemption account below, | 877 96 |
| | \$147,074 47 |
| <i>Payments.</i> | |
| By amount of Auditor's warrants paid from 30th November, 1832, to 30th November, 1834, inclusive, | \$106,270 61 |
| By amount of taxes refunded on lands redeemed during same time, | 1,854 46 |
| By amount of interest on State paper, and refunded during same time, | 746 58 |
| By amount of interest on State paper when funded, during same time, | 171 08 |
| By amount of funded stock redeemed during same time, | 16,362 33 |
| By amount of interest on funded | |

[STATEMENTS CONTINUED.]

Payments.

| | | |
|---|---------------------|---------------------|
| stock redeemed, during same time, | 44 43 | |
| By amount of interest on State paper paid into Treasury on account of State Bank during same time, | 166 82 | |
| By amount of interest on loan of \$100,000 during same time, | 15,090 00 | |
| By amount of State paper burned during same time, | 5,897 50 | |
| By amount paid Wm. H. Brown, Levi Davis and James Whitlock, for services in settling accounts of James M. Duncan, late Cashier of State Bank, | 174 00 | |
| | <u>\$146,777 81</u> | |
| Balance in the Treasury on 1st December, 1834 | 296 66 | |
| | | <u>\$147,074 47</u> |

Redemption Account.

| | | |
|---|--------------------|--|
| To balance of Redemption money in Treasury on 30th November, 1832, | 50 06 | |
| To amount of Redemption money received from James Hall, late Treasurer, | 878 64 | |
| To amount of Redemption money received from 30th Nov. 1832, to 30th Nov. 1834, inclusive, | 6,160 32 | |
| | <u>\$ 7,089 62</u> | |
| From the same deduct the amount of Redemption money paid out from 30th November, 1832, to 30th November, 1834, inclusive, | 6,211 66 | |
| | <u>\$ 877 96</u> | |

JOHN DEMENT, *Treasurer.*

The reading of which was,

On motion of Mr. Thomas,

Dispensed with, the report laid upon the table and 1000 copies ordered to be printed for the use of this House.

Mr. Hughes gave notice that on Monday next, he should ask leave to introduce a bill for the benefit of the widow and heirs of Reuben Goddard, deceased.

On motion of Mr. Link,

Resolved, That the committee on the Judiciary, be requested to examine into the expediency of authorizing Judges of Probate and Judges of the Circuit and Supreme Courts, to issue writs of certiorari, in criminal cases.

Mr. Hampton presented the petition of Douglass Merrill, praying compensation for services and expenses by him incurred, in bringing from the Territory of Arkansas, one Henry C. Shouse, who murdered Col. Simpson, in Gallatin county in this State, and delivering said Shouse to the civil authorities of said county.

On motion of Mr. Hampton,

The reading of the petition was dispensed with, and the same referred to the committee on Petitions.

Mr. Thomas gave notice that he should, on Monday next, or some day thereafter, ask leave to introduce a bill, having for its object the repeal of an act entitled an act, to extend the jurisdiction of Justices of the Peace, approved Dec. 29, 1826, or so much thereof, as gives Justices of the Peace jurisdiction in cases of assaults, and batteries, and affrays.

On motion of Mr. Stuart,

The bill entitled, "an act concerning Judgments and Executions," and the objections of the Council of Revision to the same becoming a law, which were laid upon the table some days since,

Were taken up, and

Referred to the committee on the Judiciary,

On motion of Mr. Hughes,

Resolved, That so much of the message of the late Acting Governor, as relates to the finance of this State, and the resident land tax, be referred to the committee on Finance.

Mr. Ross proposed for adoption the following resolution:

Resolved by the House of Representatives, That the Auditor of the State of Illinois, be requested to furnish a statement of the amount of the resident taxes in each county in this State, received for the year 1834;—Also the amount each county in

this State will receive for the year 1855, under the present revenue law, and also the amount received into the State Treasury from each county in this State, (including the counties on the Military Bounty lands,) for the year 1834: also, the amount paid each county on the Bounty lands in lieu of resident tax for the year 1834.

Mr. Gregory moved to amend the resolution, by striking out the words "including the counties on the Military Bounty lands;"

Which was not agreed to.

The resolution was then adopted.

On motion of Mr. Hughes,

Resolved, That the committee on Finance be instructed to enquire into the expediency of revising the several revenue laws of this State, and that they report by bill or otherwise.

In pursuance of notice heretofore given,

Mr. Wyatt, asked and obtained leave to introduce a bill entitled, "an act to amend an act, entitled an act relating to the Attorney General and State's Attorneys;"

Which was read the first time, and

Ordered to a second reading.

On motion of Mr. Tunnel,

Resolved, That the committee on Finance, be instructed to enquire into the expediency of so amending the revenue laws, as to give a form of a certificate of the Judge of Probate in relation to minor heirs.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

Mr. Cloud, from the select committee to whom was referred the resolution in relation to the establishment of ports of entry, reported the same back with sundry amendments;

Which were concurred in.

Mr. Dougherty moved to further amend the resolution, by adding the word "Trinity," after the word "Galena;"

Which was not agreed to.

And then the resolution, as amended, was adopted.

Ordered, That the Clerk inform the Senate thereof, and ask their concurrence in the adoption of the same.

Mr. Vandevanter presented the petition of sundry citizens of Schuyler county, praying for an alteration of the State road leading from Jacksonville, via Meredosia, to Quincy;

The reading of which was,

On motion of Mr. Rowan,

Dispensed with, and the same referred to the committee on Petitions.

Mr. Gordon, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill, for

"An act to increase the number of election precincts in Morgan County;"

Which was read the first time, and

Ordered to a second reading.

The bill entitled an act providing compensation for Grand Jurors," was read the 2d time, and,

On motion of Mr. Webb,

Was committed to a committee of the Whole House, and made the order of the day for Tuesday next.

Mr. Tunnel gave notice that he should, on Monday next, or some day thereafter, ask leave to introduce a bill authorizing the county commissioners courts in the several counties in this State, to appoint their Clerks, periodically.

On motion of Mr. Rowan,

Resolved, That the committee on the Judiciary be instructed to enquire into the expediency of authorizing or requiring the Judges of the Circuit Courts to hold called terms in all cases of felony, where the party accused is confined in jail and unable to give bail, and that they report by bill or otherwise.

On motion of Mr. Wren,

Resolved, That the committee on the Judiciary be instructed to enquire into the expediency of altering the law so as to prohibit the migration of free negroes and mulattoes into this State.

Mr. Gordon gave notice that he should, on Monday next, or some day thereafter, ask leave to introduce a bill to prevent unnecessary delay in the collection of debts.

Mr. Blockburger, proposed for adoption the following resolution:

Resolved, That the Auditor of Public Accounts, be requested to furnish this House all the information in his power, in relation to the amount of money paid to Sheriffs and Clerks

in the several counties in this State, and also, the probable amount of postage paid out in conformity to the revenue law, passed at the last session of the General Assembly of this State.

On the question,

Will the House adopt said resolution?

It was decided in the negative.

On motion of Mr. Owen,

Resolved, That the committee on Finance be instructed to enquire into the expediency of having all the taxable land within the limits of this State listed, and the taxes paid thereon in the county in which the land lies, and that they report by bill or otherwise.

On motion of Mr. Rowan,

Resolved, That the committee on the Judiciary be instructed to enquire into the expediency of modifying the law authorizing a change of venue, to a foreign county in criminal cases, and that they report by bill or otherwise.

On motion of Mr. Henry,

Resolved, That the committee on Internal Improvements, call on the Governor for all the information in his possession in relation to the continuation of the National road through this State.

On motion of Mr. Clark,

The resolution in relation to the election of a Senator to the Congress of the United States, and which was yesterday laid upon the table,

Was now taken up.

Mr. Whiteside moved to amend the resolution, by striking out "6th inst.;" which was agreed to.

Mr. Blackwell moved to fill the blank with the "15th of December."

Mr. Whiteside moved to fill the blank with the "8th of January;"

Which was not agreed to.

Mr. Dubois moved to lay the resolution and proposed amendments on the table;

Which was decided in the negative.

Mr. Thomas moved to fill the blank with the "1st January;"

Which was not agreed to.

Mr. Clark moved the "10th of December."

Mr. Rowan moved the "20th of December;"

Which was not agreed to.

The question recurring upon the motion of Mr. Blackwell, to fill the blank with "15th of December,"

Which was not agreed to.

Mr. Manly moved to fill the blank with "8th of December," when,

On motion of Mr. Stuart,

The resolution and proposed amendments were laid upon the table.

Mr. Gordon, proposed for adoption the following resolution:

Resolved by the House of Representatives, That the committee on Propositions and Grievances, be instructed to enquire into the expediency of so amending the law in relation to paupers, as to authorize the building of one or more poor houses in each county, and that they report by bill or otherwise;

Which was not adopted.

And then the House adjourned.

SATURDAY, *December 6*, 1834.

House met pursuant to adjournment.

Mr. Cloud, from the joint committee appointed to draft and report rules for the government of the two Houses during the present session, reported for adoption the following resolution, viz: .

Resolved, That the joint rules adopted by the General Assembly at the last session, for the government of the two Houses, be and the same are hereby adopted for the government of the two Houses during the present session.

On the question,

Will the House adopt the resolution?

It was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

Message from the Senate by Mr. White their Secretary.

"MR. SPEAKER—The Senate have concurred with the House of Representatives in the adoption of the resolution having for its object the appointment of a joint committee to prepare a memorial to Congress, praying for an appropriation to clear out the navigation of the Mississippi, Illinois, and Wa-

bash rivers, and that Messrs. Maxwell, Davidson and Hacker, are appointed that committee on the part of the Senate.

And then he withdrew.

Mr. Stuart presented the petition of the citizens of the town of Athens, in Sangamon county, praying that an act may be passed authorizing them to elect a Justice of the Peace and Constable within the incorporated limits of said town;

The reading of which was,

On motion of Mr. Stuart,

Dispensed with, and the same referred to the committee on Petitions.

Mr. Vandevanter presented sundry petitions from the citizens of Schuyler county, praying for a division of said county;

The reading of which was, on his motion,

Dispensed with, and the same referred to the committee on Petitions.

Mr. Dawson, from the joint committee to whom was referred the joint resolution requiring them to contract for all the printing of the present session of the General Assembly, (the laws and journals excepted,) reported that John York Sawyer, proposed to do said printing as follows, to wit:

| | | | | |
|------------------------------------|---|---|---|---------|
| For Composition per 1000 ems, | - | - | - | 50 cts. |
| Press work per token, | - | - | - | 50 " |
| Paper per quire, | - | - | - | 25 " |
| Rule and figure work per 1000 ems, | - | - | - | \$1 00 |

Which being the lowest bid offered to the committee, the same was accepted, in which they ask the concurrence of the House.

On the question,

Will the House concur in the report of the committee?

It was decided in the affirmative.

Ordered, That the Clerk inform the Senate, thereof.

Mr. Stuart, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill entitled "an act concerning Estrays;"

Which was read the first time; and

Ordered to a second reading.

Mr. Webb moved that the rules of the House be dispensed with, and that the bill be now read a second time by its title.

Which was not agreed to.

Mr. Dubois, from the select committee, to whom was referred the petition of Samuel Snyder, guardian of the infant heirs of Willis Snyder deceased, reported a bill for

"An act for the benefit of the infant heirs of Willis Snyder, deceased;"

Which was read the first time, and,

Ordered to a second reading.

Mr. Carpenter of Hamilton, proposed for adoption the following resolution:

Resolved, That a select committee of three be appointed to enquire into the expediency of so altering the law relative to the mode of Sheriffs collecting taxes, so as to authorize them to make advertisement in each Captain's company in their county, of the time and place, when and where they will attend to receive the amount of taxes due from all persons living in the bounds of such Captain's company, and that they report by bill or otherwise.

Upon the question,

Will the House adopt said resolution?

It was decided in the negative.

On motion of Mr. Rowan,

Resolved, That the committee on Salines, be instructed to enquire into the expediency of listing certain locations or selections in the Ohio Saline Reserve that will not sell, and select in lieu thereof, in places where it will sell, and that they report by bill or otherwise.

On motion of Mr. Stuart,

The vote taken upon the resolution proposed by Mr. Carpenter of Hamilton, relative to the collection of taxes in the bounds of each Captain's company, was reconsidered.

The resolution was then adopted.

Ordered, That Messrs. Carpenter of Hamilton, Ross and Dougherty be the committee in pursuance of said resolution.

Mr. Thomas, proposed for adoption the following resolution, viz:

Resolved, That the committee on Elections, be instructed to inquire into the expediency of so amending the general election law, as to require each county in this State to be divided into three districts for the election of county commissioners, and one of said commissioners to be elected in each of said districts.

On the question,

Will the House adopt the resolution?

It was decided in the negative.

On motion of Mr. Hughes,

Resolved, That the Governor be requested to furnish this

House with all the information in his power, or which he can obtain from the Auditor and Treasurer, or other accounting officers, of the amount due the State Bank and Branches; the amount due on individual security; the amount due for which Mortgages have been executed; the amount due from the late Treasurer, and the amount due from the several late Cashiers, and the probable amount the State will lose by the late decision of the Supreme Court.

Mr. Wyatt proposed for adoption the following resolution: viz:

Resolved by the House of Representatives, (the Senate concurring herein,) That a joint select committee of both Houses, be appointed to draft a memorial to Congress, praying that all lands in this State may, so soon as they are sold, be subject to taxation.

Mr. Whiteside moved to lay the resolution upon the table;

Which was agreed to. yeas 30—nays 24.

The yeas and nays being called for by two members:

Those voting in the affirmative, are,

Messrs. Anderson, Blackwell, Bowyer, Brown, Butler, Carpenter of Hamilton, Clark, Dougherty, Dunn, Elliott, Ficklin, Fithian, Frazer, Gregory, Hampton, Hughes, Link, Manly, Oliver, Outhouse, Owen, Rowan, Stuart, Thomas, Thompson, Trower, Tunnel, Whiteside, Wren and Mr. Speaker—30.

Those voting in the negative, are

Messrs. Able, Blockburger, Cloud, Cunningham, Dawson, Dubois, Gordon, Hackelton, Hamlin, Harreld, Harris, Henry, Hunt, Hunter, Lincoln, McHenry, McGahey, Moore, Nunnally, Ross, Vandevanter, Webb and Wyatt—24.

Mr. Blockburger presented the petition of H. C. Bennett, praying the Legislature to pass an act authorizing him to sell certain real estate, owned by minor heirs, and invest the proceeds in other lands.

The reading of which was, on his motion,

Dispensed with, and the same referred to the committee on Petitions.

Mr. Link gave notice that he should, on Monday next, or some day thereafter, ask leave to introduce a bill in relation to the nature of evidence necessary, in order to the admission of claims against the estate of deceased persons, in Probate Courts.

The bill for "an act to amend an act entitled an act relating

to the Attorney General and State's Attorney's" was read the second time, and,

On motion of Mr. Wyatt,

Committed to a select committee.

Ordered, That Messrs. Wyatt, Ficklin and Thomas, be that committee.

Mr. Thomas gave notice that he should, on Monday next, or some day thereafter, ask leave to introduce a bill, defining the duties of Public Printer, and fixing the time and manner of performing the same.

Message from the Governor by A. P. Field, Esq., Secretary of State.

Mr. SPEAKER,—I am directed by the Governor to lay before the House a written communication.

And then he withdrew.

The communication is as follows:

EXECUTIVE DEPARTMENT, }
Vandalia, December 6, 1834. }

To the Speaker of the House of Representatives,

SIR,—In compliance with a resolution of the House of Representatives of the 3d instant, calling on me for all the information relative to the land granted by the last Legislature to James B. Campbell and George E. Walker, I beg leave to submit the following information.

It appears by reference to the papers on file in the different departments, that the individuals above named, to whom the right of pre-emption to eighty acres of canal lands, were granted by the last Legislature, filed their written applications, made their payments into the Treasury, and procured their certificates of purchase; (copies of which I have the honor herewith to enclose,) upon which my predecessor caused patents to be executed for the tracts of land therein described, and which contain all the information asked for by your resolution.

I have the honor to be sir,

Your obedient servant,

JOSEPH DUNCAN.

Which was read, and the reading of the accompanying documents was commenced, when,

On motion of Mr. Stuart,

The further reading was dispensed with, and all referred to the committee on the Judiciary.

Another message was received from the Governor by A. P. Field Esq. Secretary of State, which was read, and is as follows:

EXECUTIVE DEPARTMENT, }
Vandalia, December 6, 1834. }

To the Speaker of the House of Representatives,

SIR,—In compliance with a resolution of the House of Representatives of the third instant, calling on this department for certain information relative to the School and Seminary fund; and also the amount of debts outstanding against the State—the amount of revenue annually paid into the Treasury, and the probable annual decrease in the State revenue, I have the honor herewith to submit the enclosed reports of the School Commissioners, and Auditor of Public Accounts, containing all the information in regard to the subjects embraced in the resolution.

I have the honor to be,
 Your obedient servant,
 JOSEPH DUNCAN.

And the reading of the accompanying documents was commenced, when,

On motion of Mr. Link,

The further reading was dispensed with, and the whole referred to the committee on Finance.

And then the House adjourned until Monday morning 10 o'clock.

MONDAY, *December 8*, 1834.

House met pursuant to adjournment.

Mr. Stuart, from the committee on petitions to whom was referred the petition of the citizens of the town of Athens in Sangamon county, reported a bill for “an act forming an additional Justice’s district in the county of Sangamon, including the town of Athens;”

Which was read the first time, and

Ordered to a second reading.

Mr. Stuart, from the committee on petitions, reported a bill for “an act, authorising the administrators of James Mason, deceased, to execute deeds in certain cases;”

Which was read the first time, and,

Ordered to a second reading.

Mr. Stuart from the same Committee, reported a bill for "an act for the benefit of the infant heir of James Mason, deceased; which was read the first time, and,

Ordered to a second reading.

Mr. Stuart from the same Committee reported a bill for "an act for the relief of Douglas Merrell, which was read the first time and,

Ordered to a second reading.

Message from the Senate by Mr. White, their Secretary.

Mr. SPEAKER—I am directed by the Senate to inform the House of Representatives that they have adopted the resolution reported by the joint select Committee, appointed to draft and report joint rules for the Government of both Houses of this General Assembly.

I am also directed to inform the House of Representatives that the Senate have concurred in the report of the joint select Committee, appointed to contract for the printing for both houses of the present General Assemblies". And he withdrew. The Speaker laid before the House a Communication from the auditor of Public Accounts in pursuance of a call of the House, shewing the amount of sales of the Gallatin County Saline lands, and the amount that has been realized as a penitentiary fund; which was read and,

On motion of Mr. Henry,

Laid upon the table.

Mr. Hughes in pursuance of notice heretofore given, asked and obtained leave to introduce a bill for "an act for the benefit of the widow and heirs of Reuben Goddard deceased;"

Which was read the first time, and,

Ordered to a second reading.

Mr. Blackburger in pursuance of notice heretofore given asked and obtained leave to introduce a bill for "an act to provide for the election of County Recorders and Surveyors;" which was read the first time, and,

Ordered to a second reading.

On motion of Mr. Blackburger,

Resolved, That the Committee on the Militia be requested to enquire into the expediency of amending the present Militia law of this State,

And that they report by bill or otherwise.

Mr. Thomas in pursuant of notice heretofore given asked,

and obtained leave to introduce a bill for "an act defining the duties of public printer and fixing the time and manner of performing the same."

Which was read the first time, and,

Ordered to a second reading.

Mr. Thomas in pursuance of notice heretofore given, asked and obtained leave to introduce a bill for "an act to amend an act entitled an act to extend the jurisdiction of Justices of the Peace" approved Dec. 29, 1826;

Which was read the first time, and,

On the question, shall the bill be read the second time?

It was decided in the negative, yeas 5 nays 48.

The yeas and nays being called for by two members.

Those voting in the affirmative, are,

Messrs. Blockburger, Brown, Ficklin, Hughes and Thomas—5.

Those voting in the negative are,

Messrs Able, Anderson, Blackwell, Bowyer, Butler Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cloud, Cunningham, Dawson, Dougherty, Dubois, Dunn, Elliott, Fithian, Frazer, Gordon, Hackelton, Hamlin, Hampton, Harreld, Harris, Henry, Hunt, Hunter, Lincoln, Link, McHenry, McGahey, Manly, Moore, Murphy, Nunnally, Oliver, Outhouse, Owen, Ross, Rowan, Stuart, Thompson, Trower, Tunnel, Vandevanter, Whiteside, Wren, Wyatt and Mr. Speaker—48.

Mr. Ross, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill for "an act concerning public roads;"

Which was read the first time, and

Ordered to a second reading.

Mr. Wyatt moved that the rules of the House be dispensed with, and the bill be now read a second time by its title.

Mr. Cloud moved to amend the motion, so as to make it a motion to lay the bill upon the table and that 55 copies be printed for the use of this House.

Mr. Ficklin called for a division of the question.

The question being taken upon laying the bill on the table;

It was decided in the affirmative.

The question was then taken upon printing 55 copies for the use of the House, and

Decided in the affirmative, yeas 27—nays 25.

The yeas and nays being called for by two members,

Those voting in the affirmative, are,

Messrs. Able, Blockburger, Bowyer, Brown, Butler, Cloud, Dubois, Dunn, Fithian, Gordon, Hackelton, Hamlin, Hunt, Hunter, Lincoln, Manly, Moore, Nunnally, Oliver, Owen, Ross, Stuart, Thomas, Vandevanter, Whiteside, Wren and Mr. Speaker—27.

Those voting in the negative are,

Messrs. Anderson, Blackwell, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cunningham, Dawson, Elliott, Ficklin, Frazer, Gregory, Hampton, Harreld, Harris, Henry, Hughes, Link, McHenry, McGahey, Outhouse, Rowan, Thompson, Trower, Tunnel and Wyatt—25.

Mr. Thomas gave notice that on Wednesday next, or some day thereafter he should ask leave to introduce a "bill for incorporating Agricultural Societies."

Also, a "bill to amend the act entitled an act, prescribing the mode of summoning Grand and Petit jurors, and defining their qualifications and duties," approved Feb. 7. 1827.

Mr. Hackelton gave notice that on Wednesday next, he should ask leave to introduce a "bill, for the relief of the Sheriff of the county of Fulton."

Mr. Thomas, from the joint select committee appointed to memorialize Congress, reported the following memorial, viz:

To the Honorable, the Senate and House of Representatives of the United States, in Congress assembled:

The memorial of the General Assembly of the State of Illinois, would respectfully represent, That Illinois, in common with her sister States, is deeply interested in the subject of the Public Lands—that her citizens have viewed with attention the past, and now look forward with increased anxiety, to the future action of the National Legislature upon the subject.

That the final disposition of the public domain, involves deeply the interests of our whole Union, is a fact impressed strongly upon the minds of your memorialists; and entertaining as they do, the belief, that in making that disposition, your honorable body will feel impelled by a high sense of duty to your common country, without regard to local interests or sectional feeling, to pursue that line of policy which will most advance the interests of that country. They cannot suppose that you will shut your eyes or close your ears to any array of facts or arguments, which, bearing upon this subject may tend to point out that course which ought to be pursued in relation thereto. If properly disposed of, the public domain may be productive

of national and individual prosperity, commensurate with our Union, and durable as time. But if on the other hand, it be unwisely parted with by the General Government, or still more unwisely retained in her possession and ownership, it must produce in the council of the nation, strife and discord;—and among the different members of our now happy Union, jealousy and heart-burning; while to our Government itself—so dear to all of us, it may bring in the end, disunion, anarchy and ruin.

Deeply impressed with the solemn truth of these views, your memorialists, would respectfully call your attention to the defects, which experience has shown to exist in all laws heretofore enacted upon this subject, and while they endeavor to prove, by reasoning, that the great objects for which those laws were enacted, *have not been*, and under their operation cannot be accomplished, urge upon your consideration the pursuit of a course, which, in their humble opinion, will furnish a remedy for all these defects.

Under existing laws, every purchaser of any portion of the public lands, must pay the purchase money in advance, and hence thousands of honest but poor individuals, are unable to procure a home for themselves and families. If they appropriate the small amount of means in their power to this purpose, they are left unable to improve their lands thus entered, or support their families—the consequence is, that they must either remain destitute of land for years, or go upon the public lands and make improvements without the sanction of law. If the poor man, whose interests should be peculiarly guarded by legislative action, pursue the latter course, he does so at his peril. Stigmatized as a '*Squatter*,' he can hardly raise his head among his more wealthy neighbors—liable at any moment to be ruined by a prosecutor for trespassing, or if he escapes this fate, conscious that he does so, only that he may certainly meet the hardest destiny that awaits him, and which so many thousands have already experienced, of having his improvements, small indeed, but all he has, entered over his head, and himself and family thrown, destitute of means, upon the cold charity of the world, to beg for a scanty subsistence. Small is the inducement offered to him to seek by improving, eventually to secure a title to some portion of the public lands—and dreadful are the consequences if he fail. It is true, that judging of the future by the past, he may reasonably expect, after the settlement of a few years, to have granted to him by law, a pre-emp-

tion right to his improvement, but this cheering prospect is clouded by the fears that he may not be permitted to enjoy the possession of them, until the passage of such law; or that if he be, he may then be found destitute of the means by which to avail himself of the benefit intended to be conferred upon him. These views show most clearly, that so far from encouraging the improvement of the public lands, existing laws rather check it.

In the State of Illinois, are thousands of acres of Public Lands, which, under the existing state of things cannot be sold for years; but could encouragement be held out to those who might be unable to pay in advance for these lands, to improve them, with a view of eventually owning them, a speedy market would be found for them. Thousands of individuals, who as things are, may perhaps never aspire to rank as freeholders, would at once become owners of the soil; and property which otherwise, remaining unsold for years, would furnish ample food for contention among the different sections of the Union, would be in a short time, happily disposed of.

This desirable state of things it is conceived, might be accomplished by the enactment of a law, authorizing any person who might choose to do so, to go upon the public lands and select forty acres—apply at the Land Office for the entry of such tract, guaranteeing his integrity of intention, by making affidavit that he wishes to enter it for his own use—intends to improve and cultivate it, &c. And that he thereupon receive a certificate of entry, entitling him at the expiration of five years to a patent, upon paying \$50, in yearly instalments of \$10. That the passage of such a law, would result in an increased sale, in the first five consecutive years after its passage of \$100,000 tracts of the public lands, your memorialists do not doubt. And thus there would flow into the public coffers, in that short space of time, the immense sum of \$5,000,000, or a yearly stipend of \$1,000,000; which would not, otherwise, be enjoyed for years to come, if ever. Then, in a pecuniary point of view, the interests of the General Government would, by the proposed plan be greatly advanced; but not in a pecuniary point of view only.

Already has the beneficent object for which the public domain was originally granted, been most happily accomplished, and our Government alone, among the nations of the earth, is untrammelled by the huge *incubus*,—a national debt. This public property is, therefore no longer needed as a source of

public revenue. Hence it is contended by some, that the revenue arising from the sale thereof, should be distributed among the different States. By others, that these lands do, and of right ought to belong to those States respectively, in which they lie. And again by others, that their price should be reduced. But against all of these views, strong objections have been raised, and it is not the purpose of your memorialists now to discuss their merits. Leaving the question whether they or any of them, be founded in justice or not, to be determined by others, they propose not to do so. But that sound policy requires that the whole public domain should as early as possible, pass out of the hands of the General Government, is a proposition most amply proved by the history of national legislation upon this subject, for a few years past, and by a variety of conflicting opinions entertained in relation thereto. And that the prosperity of the General Government renders her able, without injury to herself, to dispose of this portion of her property upon very liberal terms, is a fact equally undeniable.

By the proposed plan then, it is believed, that by placing it in the power of every individual in community to enter a portion of public land, upon terms that none would refuse, the sale of those lands would be so greatly accelerated, as to leave the General Government in a very few years, the owner of only the refuse part of them, which, valueless in themselves, could no longer be a bone of contention, among the different members of our confederacy. And thus, in effecting one of the desired results, the other would necessarily follow.

But why, it may be asked, should this pre-emption right be granted prospectively? Why not pursue the ordinary course, and grant the privilege of entering public lands to those only who have actually made improvements upon them? The answers to these interrogatories, are obvious. In the 1st place, a great amount of national expenditure would be prevented, by curtailing legislation upon the subject. Session after session of Congress—laws are passed granting pre-emption rights to actual settlers &c., then if an individual who, to say settles upon the public lands without the authority of law, will certainly in a few years, have his right to enter that land, the use of which he has in the mean time had, free of cost, recognized by Congress. It is not perceived why that right should not be guarantied to him in the out set. Why he who is unwilling to act in violation of law, should not have the sanction of law for doing that which done by others as trespassers, is eventually

legalized. The result in both cases must be the same, so far as title to any particular tract might be concerned; and as to the policy of the two laws, that advocated has the decided advantage.

1st. As it causes the sale of millions of acres in a few years, which otherwise, might remain on the hands of the Government; and thus, while it hastens that desirable period when a final disposition may be made of this property, it at the same time fills the public coffers to overflowing.

2d. As it, so far as Illinois is concerned, hastens the time when taxes must be paid upon lands purchased of the Government.

3d. As by holding out to the poor man, the entire certainty that when he shall have expended his little means in making his improvements, that his labor and money thus spent, shall enure to his own benefit, and not to that of the undeserving; it prompts him to the exertions of honest industry to procure a home.

4th. As by facilitating the means of becoming free-holders in those States in which the public lands lie, it invites into such States, thousands of poor but honest citizens, who, burthened with large families, are unable either to purchase lands in the older States, where they reside, and where it commands a higher price, or under the existing state of things in those States, where it is less valuable, but where, in case of their emigration, they have arrived after paying the necessary expenses of removing from one State to another &c., with greatly diminished means. By leaving them at liberty to appropriate all their means to the immediate support of their families, the making of improvements &c.; while with the produce of the soil, which they thus improve, they can with perfect ease secure the means of paying for it in the time proposed, the annual instalments being less than the usual amount of rent for the same quantity of land in any country; great benefit would result to such persons.

To secure all these benefits to a large and deserving portion of her citizens, and thus to spread happiness and plenty throughout her whole extent of territory, is a line of policy worthy our great and magnanimous Government. But it may be objected, that by the passage of such a law, the fruits of national generosity, may be gathered by those who do not need them—the wealthy; while on the other hand, inducements

might be held to out those to whose benefit the measures might be intended, to abuse their privileges, and trespass upon the lands which they now ask to improve.

To the 1st of these objections it is sufficient to reply, that it is believed that no one having means to enter a great quantity of land, would feel disposed to take advantage of the proposed law; for, to a man himself having money to loan, the inducements to speculation, by the entry of forty acres of land upon credit, would be small indeed. But if fears should be felt on this point, they might be removed by restricting the right of entry to forty or at most to eighty acres.

As to the 2d objection, ample provisions might be made to meet and obviate its force, should any be necessary; but as the value of the improvement made by such person upon the land entered by him, and the entire loss of any part of the purchase money that he might pay, should he eventually discharge the whole of it, would effectually secure the ultimate sale of such land. The Government would suffer no injury from any trespass committed upon it; and upon other lands of the Government, no stronger inducement to trespass, would be held out than at present. Fears upon this same point therefore, appear to be ideal.

But without entering into further discussion of the merits of the proposed plan, your memorialists will only remark—that advancing in many particulars the interests of the nation, and injuring them in none—bringing harmony into our councils, and dispensing prosperity throughout the Union, it seems, viewed in all its aspects, to recommend itself strongly to your favorable attention. Your memorialists, therefore, pray your honorable body, in view of the beneficial results thereby to be effected, to pass a general pre-emption law, in accordance with the views herein expressed &c. And they as in duty bound &c.

Which was read, and
On motion of Mr. Dougherty,
Referred to a select committee.

Ordered, That Messrs. Dougherty, Thomas and Cloud, be that committee.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

Mr. Stuart, from the committee on petitions, to whom was referred the petition of H. C. Bennett, asked leave to be discharged from the further consideration of the same, and that it be referred to the committee on the Judiciary;

Which was agreed to.

Mr. Hamlin gave notice that he should, on Monday next, or some day thereafter, ask leave to introduce a bill, to permanently locate the seat of justice of Rock Island county.

The bill for "an act to increase the number of election precincts in Morgan county,"

Was read the second time; and,

On motion of Mr. Gordon,

Referred to a select committee.

Ordered, That Messrs. Gordon, Wyatt and Lincoln, be that committee.

The bill for "an act for the benefit of the infant heirs of Willis Snyder, deceased,"

Was read the second time, and,

Ordered, to be engrossed and read the third time.

The bill for "an act concerning Estrays," was,

On motion of Mr. Dawson,

Read the second time by its title, and was,

On his motion, referred to a select committee, consisting of Messrs. Dawson, Stuart, Outhouse, Blockburger, and Harreld.

On motion of Mr. Cloud,

The House resolved itself into a committee of the Whole House, on the Preamble and Resolution relative to the Seminary fund, &c.

Mr. Dunn in the chair, and after some time spent therein; Mr. Speaker resumed the chair, and Mr. Dunn reported,

That the committee of the Whole House had, according to order, said preamble and resolution under consideration, made some progress therein, and directed him to ask leave to sit again;

Which was granted.

And then the House adjourned.

TUESDAY, December 9, 1834.

House met pursuant to adjournment.

Mr. Webb, presented the petition of sundry citizens of White county, praying the General Assembly of Illinois, to memorialize Congress against the continuance of the West Point Academy; and,

On motion of Mr. Webb,

Referred to the committee on Petitions.

Mr. Gordon, from the select committee to whom was referred the bill for "an act to increase the number of election precincts in Morgan county;" reported the same with an amendment,

Which was read and concurred in.

On motion of Mr. Thomas,

The bill was further amended by adding the following:

"SECTION 3. That there shall be an additional election precinct in Madison county, which shall be held at the house of Isham Vincent."

Ordered, That the bill be engrossed and read the third time.

A message from the Senate by Mr. White, their Secretary.

"MR. SPEAKER—I am directed by the Senate, to inform the House of Representatives, that the Senate have concurred with the House of Representatives, in the adoption of the resolution having for its object the instruction of our Senators and requesting our Representatives in Congress, to use their exertions to procure the passage of a law, authorizing ports of entry to be established at Ottawa on the Illinois river, Lafayette on the Wabash river, in Indiana, and at Galena in this State &c.

And then he withdrew.

Mr. Gordon, from the joint select committee, appointed to memorialize Congress, in relation to the improvement of the navigation of the Mississippi, Illinois and Wabash rivers; reported the following memorial, viz:

To the Honorable, the Senate and House of Representatives of the United States of America, in Congress assembled.

The memorial of the General Assembly of the State of Illinois, would beg leave to represent: That the improvement of the navigation of the Mississippi, Illinois and Wabash rivers, is a matter of such great importance to the United States, and particularly to this State, and her sisters Indiana and Missouri,

that no apology is thought necessary, in thus presenting ourselves before your honorable body.

When we take into consideration the very great extent of country, as washed by those noble rivers, the richness of the soil, through which, they bend their course, and the multitudes of human beings, that must soon inhabit the fertile region that lie upon their borders, we are constrained to believe that your honorable body, will lend an attentive ear to our requests.

The subject of national works of Internal Improvement has, we are pleased to find, become completely interwoven in the policy of the nation. Large appropriations are every year made, to improve the channels of our navigable streams; thereby facilitating the transportation of the different articles of produce, which our rich, fertile, and widely extended country produces; whilst at the same time, those moneys thus laid out in improving our condition, by means of Canals, Rail-Roads, and in removing obstructions from the beds of our navigable rivers, tends in no small degree, to diffuse happiness amongst the citizens of our common country, and a spirit of patriotism in the bosom of every American.

It is scarcely necessary, to call the attention of your honorable body, to the many disadvantages which the enterprising and hardy population of the West are put to, by reason of obstructions at what is called the rapids of the Mississippi, and the sand bars, snags, &c., that are to be found, in addition to the above, in the Illinois and Wabash rivers.

During the high stage of water, that is usual in the spring season of the year, these obstacles present no very great difficulty; but in the after part of the year, say from August until the rivers become closed with ice, no boats, unless of a very peculiar structure, can navigate those waters. The consequence is, that all supplies which the wants of the country require, has to be obtained either by land carriage over bad roads, or as is the case with the Mississippi, above St. Louis, by paying double freight; whilst the Wabash and Illinois rivers, are entirely impassable. The time when those rivers are at their lowest stage, namely, in the fall season of the year, is the very time, above all others, that an unobstructed and free communication is the most needed. It is at this season, that the products of the husbandman, are gathered in from the fertile and beautiful country that Nature hath blessed him with—it is now that he wishes to transport the surplus produce of his farm to market; but by reason of a few bars and other obstructions

before alluded to, he is deprived in a great degree of the profits of his labor.

It is known to your honorable body, that a communication to connect the waters of Lake Michigan, with those of the Illinois river, as also those of Lake Erie, with the Wabash, are now in a state of preparation. But, however desirable those works may be, still their advantages cannot be felt, unless the other be accomplished. Nor are the citizens of the States before named, the only ones that will be benefitted; for when the improvements now contemplated, shall have been completed, those of New York, Pennsylvania, Ohio, and indeed every member of this great Confederacy, will be benefitted thereby. The advantages which would result to the Government in time of War, are incalculable, because of the ease and facility with which they could transport troops and munitions of war; whilst in consequence of the enhanced value, that those works must of necessity give to the public domain throughout the country, are some of the many reasons that might be urged by your memorialists; why Congress should promptly act upon this subject.

It is not necessary to point out all the beneficial consequences, as we know that your honorable body is already enlightened upon this subject; we will, therefore, only remark that unless the beneficence of the General Government be extended to this State, those important rivers must be, in some degree, unserviceable to us for a length of time, being entirely unable to make the necessary improvements ourselves. We therefore pray that your honorable body would give an appropriation in money, for the purpose of accomplishing the mighty improvements before mentioned. And your memorialists will &c.

Which was read, and adopted.

Ordered, That the Clerk inform the Senate thereof, and ask their concurrence therein.

The Speaker laid before the House a communication from the Auditor of Public Accounts;

Which being read in part,

On motion of Mr. Thomas,

The further reading thereof was dispensed with, and it was Referred to the committee on Finance.

Mr. Thomas, asked and obtained leave to introduce a bill entitled "an act providing compensation for Grand and Petit Jurors;"

Which was read the first time, and,
Ordered to a second reading.

Mr. Lincoln, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill for "an act to limit the jurisdiction of Justices of the Peace;"

Which was read the first time, and,
Ordered to a second reading.

Mr. Tunnel, agreeably to previous notice, asked and obtained leave to introduce a "bill relating to Clerks of the county commissioners' courts;"

Which was read the first time, and,
Ordered to a second reading.

Mr. Rowan, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill for "an act supplemental to an act, entitled an act relative to Wills and Testaments;"

Which was read the first time; and
Ordered to a second reading.

Mr. Thomas, proposed for adoption the following preamble and resolution, viz:

WHEREAS, The State of Illinois, containing within her limits, millions of acres of the most fertile soil, and inhabited by a population exceeding two hundred thousand souls, the large mass of whom, are engaged in agricultural and commercial pursuits, annually export immense quantities of produce, and therefore, while she would justly rank high as an agricultural State, could she receive credit for all she deserves in this particular, she would confer upon her industrious and enterprising citizens, the wealth that their toil so richly deserves.

WHEREAS, She cannot, under existing circumstances, receive her meed of Justice, as all the produce shipped by her at any point must, through her entire destitution, throughout her whole extent of territory, of *ports of entry*, undergo *foreign inspection*, and thus while it assumes the impress, bears the character of foreign pork, beef, flour &c. &c.; and consequently, not only does she suffer an unjust depreciation of character by credit being given to some foreign State, for raising and exporting the *products of soil*; but that produce itself, being unjustly depreciated in value, thereby commands in foreign markets, smaller prices than its true character, if known, would entitle it to; and thus not only are the profits of her citizens, engaged in this species of trade, greatly lessened, but as a necessary consequence, their spirit of enterprize is dampened.

WHEREAS, many of our merchants, large importers from Eu-

rope, are, through their inability to pay duties in their own State, growing out of the same cause, compelled to pay an annual tribute to foreign States.

AND WHEREAS, As a necessary consequence to the foregoing propositions, the exigencies of the State of Illinois imperiously demand, while her commercial character, extent of territory, and magnitude of population sanction the claim, that a port or ports of entry, should be established at some point or points within her territory; and finally,

WHEREAS, The towns of Alton, situated upon the Mississippi River, and Chicago, upon Lake Michigan, are peculiarly eligible to this distinction, from the fact that at these points respectively, many individuals of large capital have located themselves, and are now extensively engaged in commercial enterprise—that situated contiguously to these points of the State, in which the above mentioned articles are extensively furnished, great conveniences for their embarkation, and that consequently, a great amount of produce is annually exported from both these points, and that in short, they each possess a rapidly growing trade, and are fast increasing in commercial importance:—Therefore,

Resolved by the General Assembly of the State of Illinois, That our Senators in Congress be instructed, and our Representatives requested to use their utmost exertions to procure the passage of a law at the present session of Congress, declaring the aforesaid towns of Alton and Chicago, ports of entry; as a measure calculated in an eminent degree, to exalt the character of our state to that point which the great quantity and excellent quality of her products justify her in aspiring to—to increase the facilities of her merchants in their pursuits—to secure to her farmers the just reward of their labors, and by its beneficial effects upon the operations of all her citizens, to promote general prosperity.

Mr. Cloud moved that the preamble and resolution be referred to a select committee.

Which was agreed to.

Ordered, That Messrs. Cloud, Thomas and Carpenter of Hamilton, be that committee.

Message from the Governor by A. P. Field, Esq., Secretary of State.

Mr. SPEAKER,—I am directed by the Governor to lay before the House a written communication.

And then he withdrew.

Mr. Lincoln, gave notice that on Thursday next, or some day thereafter he should ask leave to introduce a bill entitled "an act to authorize Samuel Musick, to build a toll bridge across Salt Creek in Sangamon county."

Mr. Link, in pursuance of previous, asked and obtained leave to introduce a bill for

"An act to amend an act, regulating the mode of trying the right of property;"

Which was read the first time, and,

Ordered to a second reading.

Mr. Manly, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill for

"An act to amend an act, to extend the jurisdiction of Justices of the Peace," approved Dec. 29th 1826;"

Which was read the first time, and,

Ordered to a second reading.

Mr. Dunn, proposed for adoption the following resolution; viz:

Resolved, That the Secretary of State be, and he is hereby authorized to rent a suitable room, for the use of the Council of Revision, during the present session of the General Assembly.

On the question,

Will the House adopt said resolution?

It was decided in the affirmative; yeas 49—nays 3:

The yeas and nays being called for by two members:

Those voting in the affirmative, are,

Messrs., Able, Anderson, Blockburger, Blackwell, Bowyer, Brown, Butler, Carpenter of Sangamon, Clark, Cloud, Cunningham, Dawson, Dougherty, Dubois, Dunn, Elliott, Fithian, Frazer, Gordon, Gregory, Hackelton, Hamlin, Hampton, Harreld, Harris, Henry, Hughes, Hunt, Hunter, Link, McGahey, Manly, Moore, Nunnally, Oliver, Outhouse, Owen, Rowan, Stuart, Thomas, Thomson, Trower, Tunnel, Vandevanter, Webb, Whiteside, Wren, Wyatt, and Mr. Speaker.—49.

Those voting in the negative, are

Messrs., Carpenter of Hamilton, Lincoln and Murphy.—3.

On motion of Mr. Dubois,

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of so altering the law, concerning judgments before justices of the peace, as to make judgments bind the property of defendants; or that executions might imme-

diately issue, subject to the same restrictions and right of appeal as at present.

Mr. Owen, proposed for adoption the following resolution:

Resolved, That the committee on the Judiciary be instructed to inquire into expediency of forming an additional Judicial circuit, north of the Illinois river, and that they report by bill or otherwise.

Mr. Cloud moved to amend said resolution by striking out all after the words, "Resolved," and insert the following, "That the Committee on the Judiciary be instructed to inquire into the expediency of so amending the Judicial system, as to release the Supreme judges from Circuit duties, and to require them to hold two terms of the Supreme court in each year, and to elect four additional circuit judges to preside in the four circuits to be vacated by the Supreme Judges."

Mr. Dunn, moved to refer the Resolution, together with the proposed amendment, to the committee of the Whole House, for Saturday next.

Which was agreed to.

Mr. Cloud, from the select committee to which was referred the Preamble and Resolution, on the subject of the establishment of certain ports of entry in this state, reported the same with sundry amendments, which were read; when

Mr. Carpenter moved to amend the report of the committee, by inserting the word "Shawneetown," before the words "Beardstown."

Which was not agreed to.

On the question,

Will the House concur with the select committee in their amendments?

It was decided in the affirmative.

The question then recurring upon the adoption of the Preamble and Resolution as amended:

It was decided in the affirmative.

On motion of Mr. Hughes,

Resolved by the House of Representatives, That the Governor be requested, to furnish this House with all the information in his power, or which he can obtain from the several laws and accounting officers of this state, the amount of appropriations that have been made, by former legislatures, for the benefit of the Illinois and Michigan canal; the amount of money received by the late Canal Commissioners for lands and town lots, sold by said commissioners; the quantity of Canal lands that pre-

emption rights have been granted, and who to; and the quantity that has been donated to individuals.

The message from the Governor, this day received was read and is as follows: viz.

EXECUTIVE DEPARTMENT, }
Vandalia, December 8, 1834. }

To the SPEAKER of the House of Representatives,

Sir.—I beg leave to transmit to the House of Representatives a list of vacancies, which have occurred in the office of Judge of Probate in the several counties in this state, since the adjournment of the last legislature.

I have the honor to be sir,

Your o'bt servant,

JOSEPH DUNCAN.

Which said list is as follows, viz:

| | | |
|----------|---------|-----------|
| Clinton, | Coles, | Iroquois, |
| Pope, | Fulton, | Pike. |

On motion of Mr. Hackelton,

Said communication was laid upon the table.

Mr. Gordon proposed for adoption the following resolution, viz:

Resolved, That the committee on the Militia, be required to enquire into the expediency of amending the militia law, so as to authorize the raising of any number of volunteer companies; as also to authorize company officers to assess fines for delinquencies at all company musters, and that Battalion officers in like manner, assess fines for Battalion delinquencies, subject to appeal to the regimental court of enquiry, to be held in the fall &c.

Upon the question,

Will the House adopt said resolution?

It was decided in the negative. yeas 23—nays 27.

The yeas and nays being called for by two members.

Those voting in the affirmative, are

Messrs. Able, Bowyer, Cloud, Dawson, Dunn, Gordon, Hampton, Harreld, Henry, Hughes, Hunter, McGahey, Oliver, Owen, Ross, Stuart, Thomas, Trower, Vandevanter, Webb, Whiteside, Wyatt and Mr. Speaker—23.

Those voting in the negative are,

Messrs. Anderson, Blackwell, Blockburger, Brown, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cunningham, Dubois, Elliott, Fithian, Frazer, Gregory, Hackel-

on, Hamlin, Harris, Hunt, McHenry, Moore, Murphy, Nunnally, Outhouse, Rowan, Thompson, Tunnel and Wren—27.

Mr. Dawson, from the select committee, to whom was referred a bill entitled "an act concerning Estrays,"

Reported the same with an amendment;

Which was read and concurred in.

Mr. Webb moved to lay the bill upon the table, and print fifty-five copies for the use of the House.

Mr. Hamlin moved to print 100 copies;

Which was not agreed to.

The question then recurring upon the motion

To lay upon the table and have fifty-five copies printed for the use of the House.

It was decided in the affirmative.

And then the House adjourned until 2 o'clock, *P. M.*

2 o'clock, P. M.

House met pursuant to adjournment.

A bill for an act, entitled "an act, for the benefit of the infant heirs of Willis Snyder, deceased,"

Was read a third time and passed.

Ordered, That the title of the bill be as aforesaid, and that the Clerk inform the Senate thereof, and ask their concurrence therein.

The bill for "an act forming an additional Justice's district in the county of Sangamon, including the town of Athens,"

Was read the second time, and,

On motion of Mr. Stuart,

Said bill was referred to a select committee.

Ordered, That Messrs. Stuart, Cloud and Carpenter of Sangamon, be that committee.

The bill for an act entitled "an act, authorizing the administrators of James Mason deceased, to execute deeds in certain cases,"

Was read the second time, and,

On motion of Mr. Stuart,

Referred to the committee on the Judiciary.

The bill for "an act, for the benefit of the infant heir of James Mason deceased,"

Was read the second time; and,

On motion of Mr. Stuart,

Referred to the committee on the Judiciary.

The bill for "an act for the relief of Douglass Merrill,"

Was read the second time, when,

Mr. Hampton moved to fill the blank with \$200.

On motion of Mr. Ficklin,

Said bill and proposed amendments, were referred to a select committee.

Ordered, That Messrs. Ficklin, Rowan and Hampton, be that committee.

The bill for "an act for the benefit of the widow and heirs of Reuben Goddard, deceased,"

Was read the second time; and,

On motion of Mr. Thomas,

Referred to the committee on the Judiciary.

The bill for "an act to provide for the election of County Surveyors and Recorders," was read the second time; and,

On motion of Mr. Thomas,

Referred to a select committee.

Ordered, That Messrs. Thomas, Blockburger and Link, be that committee.

The bill for "an act defining the duties of Public Printer, and fixing the time and manner of performing the same,"

Was read the second time; and,

On motion of Mr. Blackwell,

Referred to a select committee.

Ordered, That Messrs. Blackwell, Fithian and Frazer, be that committee.

Mr. Stuart, from the select committee, to whom was referred the bill for "an act forming an additional Justice's district in the county of Sangamon, including Athens,"

Reported the same with an amendment;

Which was concurred in, and,

Ordered, to be engrossed and read the third time.

Mr. Cloud, moved that the committee of the Whole House, be discharged from the further consideration of the bill for "an act providing compensation for Grand Jurors;"

Which was agreed to. And,

On motion of Mr. Dougherty,

Referred to a select committee.

Ordered, That Messrs. Dougherty, Harris and Hughes, be that committee.

On motion of Mr. Whiteside,

Resolved, That the committee on Public Accounts and Expenditures, be instructed to enquire into the probable amount of revenue, that will be necessary for defraying the current expenses of the State Government, for the years 1835 and 1836, including the present session of the Legislature.

Mr. Thomas gave notice that on Thursday next, or some day thereafter, he should ask leave to introduce a bill, concerning debtors and their securities.

Mr. Dougherty moved that the House adjourn;

Which was not agreed to.

Mr. Thomas moved that the House now resolve itself into a committee of the Whole House, on the preamble and resolutions relative to the Seminary fund;

Which was not agreed to.

Mr. Hughes gave notice that on Saturday next, or some day thereafter, he should ask leave to introduce a bill to amend an act, entitled "an act regulating Elections."

Mr. Wyatt, presented the petition of sundry citizens of Morgan county, praying for relief of William Spencer;

Which was read; and,

On motion of Mr. Wyatt,

Referred to a select committee.

Ordered, That Messrs. Wyatt, Hackelton and Clark be that committee.

Mr. Gordon moved that the House now resolve itself into a committee of the Whole House, on the preamble and resolutions relative to the Seminary fund;

Which was not agreed to.

And then the House adjourned.

WEDNESDAY, December 10, 1834.

House met pursuant to adjournment.

Message from the Senate by Mr. White their Secretary.

"MR. SPEAKER—I am directed to inform the House of Representatives, that the Senate has passed a bill, for "an act to

organize the County of Jasper;" in the passage of which, they ask the concurrence of the House of Representatives."

And he withdrew.

Mr. Murphy presented the petition of sundry citizens of Perry county, praying for a view of a road therein named.

The reading of which was, on his motion,

Dispensed with, and the same referred to a select committee.

Ordered, That Messrs. Murphy, Bowyer and Harreld, be that committee.

Mr. Gregory presented the several petitions of Louisa Catlett, of Greene county, praying for a divorce; James Ferguson, of the same, upon the same subject; Elizabeth Pitts, of the same, upon the same subject; and Mary Webb, of the same county, upon the same subject; and moved that the reading be

Dispensed with, and that they be referred to the committee on Petitions.

Which was agreed to.

Mr. Gregory, proposed for adoption the following memorial and joint resolution, viz:

To the Honorable, the Senate and House of Representatives of the United States of America, in Congress assembled.

The undersigned memorialists represent, That one third of the present population, and more than one half of the organized territory of the United States, depend upon the navigation of the Mississippi river, and the Northern Lakes, and their tributary waters, for the exportation of the products and manufactures of the valleys of the Mississippi and Lakes.

This navigation, reaching into the interior of the Union, for the supplies that feed the general commerce, and replenish the Treasury of the United States, ought to be viewed and protected as essential parts of our whole commercial navigation.

The unhealthiness and accidents of this interior navigation, especially of the Mississippi and its tributaries, occasion a greater loss of human life, than is caused by that portion of our national commerce, prosecuted upon the ocean.

The number of Marine Hospitals actually existing on the Mississippi and its tributaries, and the Northern Lakes, is so small—their endowments and resources, so limited, and they are so sparsely scattered, that their existence rather reminds of the necessity of a system, based upon more enlarged and liber-

al principles, than supplies the growing wants of the increasing commerce of those regions.

They suggest, for the consideration of Congress, that the contemplated system of Hospitals in the interior, ought to constitute a separate system, complete within itself, and unconnected with the general system of the United States Marine Hospitals.

The regular troops of the United States, and the militia, when called into service upon those waters, would be equally benefitted and preserved by the establishment of Hospitals at proper places along them, with the commercial community. And among the incidental advantages, such Hospitals might become the best primary schools for learning the nature and treatment of the diseases of the Western countries.

The local governments of the States and Territories, being deprived by our constitution and laws, of the principal and productive sources of revenue, have not the means of establishing such Hospitals upon a scale commensurate with the occasion; nor would they, each acting for its separate part, be likely to agree upon the points, most proper for such establishments with a view to the whole.

They therefore, suggest the propriety of appointing a suitable commissioner to select the proper points along those Rivers and Lakes, for the establishment of such Hospitals, and pray Congress to cause a suitable number of them to be erected, upon principles commensurate with the object, upon such provisions as may seem best adapted to that end.

Therefore:—

Resolved by the General Assembly of the State of Illinois, That our Senators in Congress be instructed, and our Representatives requested to use their utmost exertions to accomplish the objects of this memorial.

Upon the question,

Will the House adopt said memorial and resolution?

It was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof, and ask their concurrence therein.

The bill for "an act to increase the number of election precincts in the county of Morgan,"

Was read the third time and passed.

Mr. Thomas moved to amend the title of the bill, by striking out the word "county," before the word "Morgan," and insert-

ing the word "counties," and adding the word "Madison," after the word "Moigan;"

Which was agreed to.

Ordered, That the title of the bill be as aforesaid, and that the Clerk inform the Senate thereof, and ask their concurrence therein.

The bill entitled "an act, supplemental to an act, entitled an act relative to Wills and Testaments;"

Was read the second time, and

Ordered to be engrossed, for a third reading.

The bill for "an act, relating to Clerks of the county commissioners' courts;"

Was read the second time, and

Ordered to be engrossed, for a third reading.

The bill for "an act, to limit the jurisdiction of Justices of the Peace;"

Was read the second time, and

On motion of Mr. Clark,

Referred to a select committee.

Ordered, That Messrs. Clark, Murphy and Henry, be that committee.

The bill for "an act, regulating the mode of trying the right of property;"

Was read the second time, and

On motion of Mr. Ficklin,

Referred to a select committee.

Ordered, That Messrs. Ficklin, Anderson and Owen, be that committee.

The bill for "an act providing compensation for Grand and Pettit Jurors;"

Was read the second time, and

On motion of Mr. Manly,

Referred to the same select committee, to which was referred the bill for "an act, providing compensation for Grand Jurors."

The bill for "an act to amend an act, to extend the jurisdiction of Justices of the Peace," approved Dec. 29th 1826;"

Was read the second time, and

On motion of Mr. Rowan,

Referred to a select committee.

Ordered, That Messrs. Rowan, Manly and Able, be that committee.

Mr. Dougherty, from the select committee to whom was referred the memorial to Congress, on the subject of the Public Lands,

Reported the same back to the House without amendment.

On motion of Mr. Dougherty,

Said memorial was referred to the committee of the Whole House, and made the order of the day for this day.

On motion of Mr. Thomas,

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of revising and amending the various laws now in force, relative to Justices of the Peace and Constables.

Mr. Moore, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill for

"An act, concerning the Revenue of the county of St. Clair, for the year 1829;"

Which was read the first time, and,

Ordered to a second reading.

Mr. Manly, gave notice that on Friday next, or some day thereafter he should ask leave to introduce a bill for

"An act, for the relief of John Stockwell, Sheriff of the county of Clark."

Mr. Ficklin, from the select committee to which was referred the bill for "an act, for the relief of Douglass Merrill,"

Reported the same back to the House with an amendment.

Mr. Wren moved to re-commit said bill to a select committee.

Mr. Thomas moved to amend said motion to re-commit, by adding the following instructions, viz:

"And further, that said committee be instructed to report whether any amount of money has ever been by the order of the Governor, given to said Merrill, or any person else, for the services purporting to have been rendered by said Merrill;

Which was agreed to.

The question then recurring upon the motion to re-commit as amended;

It was decided in the affirmative.

Ordered, That Messrs. Wren, Rowan and Hughes, be that committee.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

Mr. Wren, from the select committee to which was referred the bill for

"An act for the relief of Douglass Merrill,"

Reported the same back to the House with an amendment.

Mr. Gordon moved to amend the report of the select committee, by striking out §25;

Which was agreed to.

The question then recurring upon the report of the select committee as amended;

It was decided in the affirmative.

Ordered, That the bill be engrossed and read the third time.

Mr. Thomas, from the select committee, to whom was referred the bill for

"An act to provide for the election of County Recorders and Surveyors,"

Reported a substitute for the original bill;

Which was read.

Mr. Gordon moved to amend the substitute, by adding the following additional section, viz:

"SEC. 7. That the county commissioners' courts, of the several counties be, and they are hereby required to pay the Judges and Clerks of elections, out of the county Treasury, not exceeding one dollar per day; and also such reasonable allowance, to the person conveying the returns of such election to the county seat, as they may deem just, not exceeding six cents per mile for going only;

Which was agreed to.

The question then recurring upon the report of the select committee as amended;

It was decided in the affirmative. And,

Ordered to be engrossed for a third reading.

Mr. Wyatt, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill for

"An act to amend an act, entitled an act regulating elections, approved Jan. 10, 1829;"

Which was read the first time; and

On the question,

Shall said bill be ordered to a second reading?

It was decided in the negative. yeas 23—nays 27.

The yeas and nays being called for by two members.

Those voting in the affirmative, are

Messrs. Able, Anderson, Blackwell, Blockburger, Brown, Cloud, Dubois, Elliott, Fithian, Frazer, Gordon, Gregory, Hackelton, Hamlin, Harris, Hughes, Hunter, Link, Moore, Ross, Thomas, Tunnel and Wyatt—23.

Those voting in the negative, are

Messrs. Bowyer, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cunningham, Dawson, Ficklin, Hampton, Henry, Hunt, Lincoln, McHenry, McGahey, Manly Murphy, Nannally, Outhouse. Owen, Rowan, Stuart, Thompson. Trower; Vandevanter, Whiteside, Wren and Mr. Speaker—27.

So the House refused to read the bill the 2d time.

On motion of Mr. Manly,

Resolved, That the committee on Finance, be instructed to enquire into the propriety of requiring all clock-pedlars, to pay a sum not less than fifty dollars, for license to vend clocks in any one county in this state, for any term of three months.

Resolved, That the same committee be instructed to enquire into the propriety of requiring the exhibitors of shows, to pay for their license; a sum not less than \$20, for exhibiting the same in any county in this State.

On motion of Mr. Frazer,

Resolved by the House of Representatives, That the Auditor of Public Accounts, be required to lay before this House, the manner in which the contingent fund has been paid out by order of the Governor last in office, and for what purpose.

Mr. Gordon moved that the House now resolve itself into a committee of the Whole House, upon the preamble and resolutions relative to the Seminary fund;

Which was not agreed to.

On motion of Mr. Dawson,

Resolved by the House of Representatives, (the Senate concurring herein,) when it may be necessary to print bills, or other documents pending before either House, in which the two Houses are interested, that a sufficient number be ordered for the use of both Houses.

Mr. Link moved that the committee of the Whole House, be discharged from the further consideration of the preamble and resolutions relative to the Seminary fund, and that the same be referred to a select committee;

Which was not agreed to.

Mr. Gregory moved that the House now resolve itself into a committee of the Whole House, upon the memorial to Congress relative to the Public Lands;

Which was not agreed to.

Mr. Ross, gave notice that he should, on Monday next, or some day thereafter, ask leave to introduce a bill for

"An act to authorize the county commissioners of Pike county, to sell the Court House which is situated in the town of Atlas, and all town lots in said town, which belong to the county of Pike."

Mr. Wren, presented a memorial to Congress, praying the establishment of a mail route from Vandalia, via Salem, to Golconda;

Which was read; and

On motion of Mr. Thomas,

Referred to a select committee.

Ordered, That Messrs. Thomas, Blockburger and Wren, be that committee.

And then the House adjourned.

THURSDAY, *December 11, 1834.*

House met pursuant to adjournment.

A Message from the Governor by Mr. Bradley.

Mr. SPEAKER,—I am directed by the Governor to lay before the House a written communication.

And then he withdrew.

Mr. Gregory presented the petition of the citizens of Township six north, range twelve west, for the sale of fractional sixteenth section;

And on his motion, the reading thereof was

Dispensed with, and the same referred to a select committee.

Ordered, That Messrs. Gregory, Link and Tunnel, be that committee.

Mr. Hamlin presented the petition of Jonathan Daniels, praying a right of pre-emption to a certain tract of land therein named; and

On his motion, the reading thereof was

Dispensed with, and the same referred to the committee on Petitions.

Mr. Stuart, from the committee on petitions, to whom was referred the petition of sundry individuals on the subject of, and praying for divorces, made the following report, viz:

"The committee on Petitions, to whom was referred the petitions of Louisa Catlett, Elizabeth Pitts, Amanda Webb, and of James Ferguson, each praying the dissolution of the bands of matrimony, have had the same under consideration; and have directed me to report, That in the opinion of the committee, it is inexpedient that the prayer of the petitioners should be granted, and for the following reasons, viz:

1st. The committee are of opinion, that it admits of much doubt whether the Legislature have the Constitutional power, to pass acts granting divorces.

2d. It is inexpedient, because the time of the legislature, and the money of the people, would thereby be consumed, to the great delay and hindrance of the appropriate business of legislation, and unnecessary waste of the public Treasury.

3d. Under the existing laws of the State, upon the subject of divorces, a speedy and ample mode is pointed out in courts of Chancery, for the redress of the grievances complained of by the Petitioners.

The committee are of the opinion that the ends of justice would be better attained, by pointing the petitioners to courts of chancery for redress, because these courts have the power of compelling before them, the appearance of all parties interested, and by means of testimony, investigating fully the merits of the case. For these reasons they beg to be discharged from the further consideration of said Petitions;"

Which being read,

On the question,

Will the House concur with the committee on Petitions in their report?

It was decided in the affirmative.

So the committee were discharged from the further consideration of said Petitions.

Mr. Dunn, from the committee on the Judiciary, to which was referred the resolution having for its object the expediency of requiring the Judges to hold called terms in certain cases, reported: that,

"The committee on the Judiciary, who were instructed by resolution, to enquire into the expediency of authorizing or

requiring the Judges of the circuit courts, to hold called terms in all cases of felony, where the party accused is confined in jail and unable to give bail, beg leave to report; That after mature examination of the subject, they are of opinion that it is inexpedient to pass a law requiring said judges to hold called terms in such cases as are contemplated in the instructions to your committee;"

Which being read;

On the question,

Will the House concur with the committee in their report?

It was decided in the affirmative.

A communication from the Governor, was this day received, and which is as follows; viz:

EXECUTIVE DEPARTMENT, }
Vandalia, December 11, 1834. }

To the HON. the SPEAKER of the House of Representatives,

SIR—In compliance with a resolution of the House of Representatives of the 6th inst, calling for information relative to the affairs of the State Bank of Illinois, and Branches, I have the honor herewith to transmit to the House of Representatives, a letter from the State Treasurer, from which it will appear that all the information called for in said resolution, will be furnished in detail at the earliest possible period by him, in a report to the General Assembly.

I have the honor to be

Sir, your ob't. serv't.

JOSEPH DUNCAN.

Which being read; was,

On motion of Mr. Cloud,

Laid upon the table.

Another communication from the Governor, which is, as follows, viz:

EXECUTIVE DEPARTMENT, }
Vandalia, December 11, 1834. }

To the SPEAKER of the House of Representatives:

SIR—I beg leave to inform the House of Representatives, that a vacancy has occurred in the office of Commissioner of the sales of the Gallatin county Saline lands, by the resignation of the Hon. Wm. J. Gatewood.

I have the honor to be,

Sir, your ob't. serv't.

JOSEPH DUNCAN.

Which was read; and

On motion of Mr. Henry,
Laid upon the table.

Mr. Thomas, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill for

"An act to amend an act, entitled an act prescribing the mode of summoning Grand and Petit Jurors, and defining their qualifications and duties;"

Which was read the first time, and,
Ordered to a second reading.

A message from the Senate by Mr. White, their Secretary.

MR. SPEAKER—I am directed by the Senate, to inform the House of Representatives, that they have concurred with them in the adoption of the resolution, having for its object the printing of bills &c., necessary for the use of both Houses.

They have also concurred with the House of Representatives in the adoption of the memorial and resolution on the subject of Hospitals in the interior of the United States."

And he withdrew.

Mr. Thomas, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill for

"An act for the incorporation of Agricultural Societies;"

Which was read the first time; and

On the question,

Shall said bill be ordered to a second reading?

It was decided in the affirmative. yeas 44—nays 8.

The yeas and nays being called for by two members:

Those voting in the affirmative, are,

Messrs. Able, Blackwell, Blockburger, Bowyer, Brown, Butler, Clark, Cloud, Cunningham, Dawson, Dougherty, Dubois, Dunn, Elliott, Ficklin, Fithian, Frazer, Gordon, Gregory, Hackelton, Hamlin, Harris, Henry, Hughes, Hunt, Hunter, Lincoln, McHenry, McGabey, Manly, Moore, Murphy, Nunnally, Outhouse, Owen, Ross, Rowan, Thomas, Thompson, Trower, Vandevanter, Webb, Whiteside and Mr. Speaker—44.

Those voting in the negative, are

Messrs. Anderson, Carpenter of Hamilton, Carpenter of Sangamon, Hampton, Link, Oliver, Tunnel and Wren—8.

Mr. Gordon, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill for.

"An act to prevent unnecessary delays in the collection of debts;"

Which was read the first time, and,

Ordered to a second reading.

Mr. Bowyer, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill for

"An act to regulate the mode of taking in the list of taxable property;"

Which was read the first time, and

Ordered to a second reading.

Mr. Hughes gave notice that on Saturday next, or some day thereafter, he should ask leave to introduce a bill for "An act to define and punish contempt of Courts."

The bill from the Senate entitled, "An act to organize the county of Jasper," was read the first time, and

Ordered to a second reading.

The engrossed bill entitled, "An act for the relief of Douglass Merrill," was read the third time, when,

Mr. Wren moved to amend the bill, by adding after the word Merrill, the following:

"And to William Gassaway, the sum of Twenty-five dollars,"

Which was not agreed to.

Mr. Blackwell moved to amend the bill, by striking out "\$100," and insert "\$75," and add "to William Gassaway, the sum of twenty-five dollars;"

Which was agreed to.

Message from the Senate by Mr. White, their Secretary.

Mr. SPEAKER—I am directed by the Senate to inform the House of Representatives that they have concurred with them in the passage of a bill, entitled "an act for the benefit of the infant heirs of Willis Snyder deceased."

And then he withdrew.

The bill for "an act to provide for the election of County Recorders and Surveyors,"

Was read the third time.

Mr. Webb moved to amend the bill, by adding the following, viz:

"SEC. 3. No deed shall be received for record, by any Recorder in this State, unless the same shall have been proved, or acknowledged as the law requires;"

Which was not agreed to.

Mr. Whiteside moved to refer the bill to a select committee.

Which was agreed to.

Ordered, That Messrs. Whiteside, Brown and Trower, be that committee.

Mr. Webb, gave notice that on Monday next, or some day

thereafter, he should ask leave to introduce a bill, for

"An act to incorporate the Carmi Bridge Company."

The bill entitled "an act, relating to Clerks of the county commissioners' courts;"

Was read the third time.

Mr. Gordon moved to refer said bill to the committee on the Judiciary;

Which was not agreed to.

On the question,

Shall said bill now pass?

It was decided in the affirmative. yeas 44. nays 10.

The yeas and nays being called for by two members.

Those voting in the affirmative, are,

Messrs. Able, Anderson, Blackwell, Blockburger, Bowyer, Brown, Butler, Carpenter of Hamilton, Carpenter of Sangamon Clark, Cloud, Dougherty, Elliott, Frazer, Gregory, Hackellon, Hamlin, Hampton, Harris, Henry, Hughes, Hunt, Hunter, Lincoln, Link, McHenry, McGahey, Manly, Moore, Murphy, Nunnally, Outhouse, Owen, Ross, Rowan, Stuart, Thomas, Thompson, Trower, Tunnel, Vandevanter, Whiteside, Wyatt and Mr. Speaker—44.

Those voting in the negative are,

Messrs. Cunningham, Dawson, Dubois, Dunn, Ficklin, Fithian, Gordon, Oliver, Webb and Wren—10.

Ordered, That the title of the bill be as aforesaid, and that the Clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Lincoln moved that the following be added to the rules of the House, viz:

"It shall not be in order, to offer amendments to any bill, after its third reading;"

Which was not agreed to.

The bill entitled "an act, supplemental to an act, entitled an act relative to Wills and Testaments;"

Was read the third time and passed.

Ordered, That the title of the bill be as aforesaid, and that the Clerk inform the Senate thereof, and ask their concurrence therein.

The bill entitled "an act forming an additional Justice's district in the county of Sangamon, including the town of Athens,"

Was read the third time, when,

Mr. Gordon moved that the bill be referred to a select committee;

Which was not agreed to.

On the question,

Shall said bill now pass?

It was decided in the affirmative.

Ordered, That the title of the bill be as aforesaid; that the Clerk inform the Senate thereof, and ask their concurrence therein.

The bill entitled "an act, concerning the Revenue of the county of St. Clair, for the year 1829;"

Was read the second time, and

Ordered to be engrossed, for a third reading.

And then the House adjourned until 2 o'clock, *P. M.*

2 o'clock, *P. M.*

House met pursuant to adjournment.

On motion of Mr. Cloud,

The House again resolved itself into a committee of the Whole House, upon the preamble and resolution in relation to the Seminary fund. And after some time spent therein, Mr. Speaker resumed the chair; and

Mr. Dougherty reported, That the committee had, according to order, said preamble and resolution under consideration and made an amendment thereto, in which they ask their concurrence therein.

Upon the question,

Will the House concur with the committee of the Whole House, in their amendments to the resolution?

It was decided in the affirmative.

On the question,

Will the House adopt said preamble and resolution as amended?

It was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof, and ask their concurrence therein.

On motion of Mr. Link,

The House resolved itself into a committee of the Whole House, upon the resolution relative to a Canal.

And after some time spent therein, Mr. Speaker resumed the chair, and

Mr. Thomas reported; That the committee of the Whole House have, according to order had said resolution under consideration, and directed him to report the same back to the House without amendment.

Mr. Ficklin moved to amend said resolution, by striking out all after the word "Resolved," and inserting the following, viz:

"That the committee on Internal Improvements, be instructed to report to this House, a bill incorporating a Canal Company, for the purpose of constructing a Canal, connecting Lake Michigan with the Illinois river; the said work is to be executed, without involving the State in any manner, whatever, in debt."

Which was not agreed to.

Mr. Thomas, moved the following amendment, viz:

"And that said bill contain a *Proviso*, that should the State, under the operation of said guaranty become liable to pay any amount of money to said company, such amount shall be paid exclusively out of the fund arising from the sale of the Canal Lands, and no recourse shall be had, in such case, upon the State Treasury;"

Which was agreed to.

And then the resolution, as amended, was adopted.

And then the House adjourned.

FRIDAY, December 12, 1834.

House met pursuant to adjournment.

Mr. Hackelton, presented the petition of sundry citizens of Fulton county, upon the subject of road labor;

Which being read; was

On motion of Mr. Hackelton,

Laid upon the table.

Mr. Stuart, from the committee on petitions, to which was

referred the petition of Jonathan Daniels, praying a right of pre-emption to certain land therein named: reported that

"The committee on petitions, to which was referred the petition of Jonathan Daniels, praying for a pre-emption on canal lands, have had the same under consideration, and have directed me to report,

That in the opinion of the committee, the prayer of the petitioner should not be granted.

The lands referred to, were appropriated by the General Government to the State, for the accomplishment of a specific object, viz: the opening of a communication between Lake Michigan & the navigable waters of the Illinois, & for this object only. Under this view, the State can be considered only as holding those lands as a trustee for the Canal fund, and any appropriation made by the State for any other object, than one which will further and carry into effect the intention of the General Government in making the grant, would be a breach of the sacred trust reposed in them, and null and void.

The petitioner has settled upon the land since the grant of those lands was made for the above object; and knowing the above facts, he can have no equitable claims upon the Legislature for a pre-emption.

They therefore pray to be discharged from the further consideration of the petition."

On the question,

Will the House discharge the committee on petitions, from the further consideration of said petition?

It was decided in the affirmative.

So the committee were discharged from the further consideration of said petition.

Mr. Thomas, from the select committee, to whom was referred the memorial to Congress, praying the establishment of a certain mail route,

Reported back to the House a substitute;

Which was read;

Mr. Dunn moved to amend the report of the select committee, by adding after the word "Mt. Vernon," the words "via Frankfort;"

Which was agreed to.

The report of the select committee as amended, was then concurred in.

On the question,

Will the House adopt the memorial as amended?

It was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof, and ask their concurrence.

Mr. Clark, from the select committee to which was referred the bill for "an act, to limit the jurisdiction of Justices of the Peace,"

Reported the same back to the House with sundry amendments;

Which were read. When,

On motion of Mr. Link,

Said bill with the proposed amendments were re-committed to a select committee.

Ordered, That Messrs. Link, Carpenter of Sangamon, and McHenry, be that committee.

Mr. Wyatt, from the select committee, to which was referred the petition of William Spencer and others, praying for the relief of said Spencer,

Reported a bill for "an act, for the relief of William Spencer;"

Which was read the first time, and,

Ordered to a second reading.

Mr. Ficklin, from the select committee, to which was referred the bill for "an act, to amend an act regulating the mode of trying the right of property,"

Reported the same back to the House with sundry amendments.

Which were read, and

On motion of Mr. Manly,

Said bill with the proposed amendments were re-committed to a select committee.

Ordered, That Messrs. Manly, Moore and Hamlin, be that committee.

On motion of Mr. Moore,

Resolved, That the committee on Public Accounts and Expenditures, be instructed to enquire into the expediency of extending further relief to the purchasers of lots in the town of Vandalia, who have relinquished their lots and paid one tenth of the purchase money; so as to provide for refunding to purchasers the several amounts by them so paid, and that they have leave to report by bill or otherwise.

Mr. Hackelton, in pursuance of previous notice, asked and obtained leave to introduce a bill for

"An act, supplemental to an act concerning the county of Fulton, approved Feb, 25th 1833;"

Which was read the first time, and,

Ordered to a second reading.

Mr. Rowan proposed for adoption the following resolution:

Resolved by the House of Representatives, (the Senate concurring herein,) That the two Houses will meet on Saturday the 13th inst., at the hour of 11 o'clock A. M., and then and there proceed to elect a Commissioner of the sales of the Gallatin county Saline lands, to fill the vacancy occasioned by the resignation of the Hon. Wm. J. Gatewood.

Which was,

On motion of Mr. Whiteside,

Laid upon the table.

Mr. Manly, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill for

"An act for the relief of John Stockwell, Sheriff of the county of Clark."

Which was read the first time, and,

Ordered to a second reading.

On motion of Mr. Manly,

The rules of the House were dispensed with, and the bill read a second time by its title; and

On motion of Mr. Murphy,

Referred to a select committee.

Ordered, That Messrs. Murphy, Harreld and Manly, be that committee.

On motion of Mr. Nunnally,

Resolved by the House of Representatives, That the Governor of this State be requested to furnish this House, with all the information he may have in his possession, relative to the appropriation made by the legislature of the State, for the improvement of the Wabash river; as also, all the information he may possess, relative to the appropriations that may have been made by our sister State Indiana, for the above purpose; and also, whether any of the appropriation has been expended on said work.

Mr. Frazer, proposed for adoption the following resolution:

Resolved, That a select committee be appointed, with instructions to draft and report a memorial, praying of the General Government an appropriation, to be applied in the improvement of the road leading from Vincennes to St. Louis, through the State of Illinois, and also the establishment of a

mail route from Salem to Mt. Vernon, and from Bloomington to Springfield, in said State.

Mr. Gordon moved to amend the resolution, by adding after the word "St. Louis," the following:

"And also, from Vandalia by Springfield in Sangamon county, by Jacksonville in Morgan county, to Pittsfield in Pike county."

On the question,

Will the House so amend said resolution?

It was decided in the negative.

Mr. Ross moved to amend the resolution, by adding after the word Springfield, the following:

"From Pittsfield, the seat of justice of Pike county, via Griggsville, McKee's Creek, to Rushville the seat of justice for Schuyler county;"

Which being accepted by the mover of the resolution, and, The resolution being further modified by

Mr. Ficklin, by adding the following:

"And also, from Mount Carmel to Maysville,"

Was then adopted.

Ordered, That Messrs. Frazer, Ross and Outhouse, be that committee, in pursuance of said resolution.

Mr. Manly, proposed for adoption the following resolution:

Resolved by the House of Representatives, (the Senate concurring herein,) That our Senators in Congress be instructed, and our Representatives requested, to use their exertions to obtain the aid of Congress, in improving the road leading from Vincennes to Chicago; and also the road leading from Shawneetown to Vandalia, either by a donation in money or of unsold lands lying in the counties through which said road passes.

Mr. Rowan moved to lay said resolution on the table;

Which was not agreed to.

On motion of Mr. Dubois,

Said resolution was referred to a select committee.

Ordered, That Messrs. Dubois, Carpenter of Hamilton, and Brown, be that committee.

On motion of Mr. Stuart,

Resolved, That the committee on Finance, be instructed to enquire into the State of the Treasury, and report the same to this House as soon as practicable.

Mr. Hughes, proposed for adoption the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed

to inquire into the expediency of repealing so much of the law, passed March 1st 1833, as requires Justices of the Peace, to give bond and security, and that they report by bill or otherwise;

Which was not agreed to.

On motion of Mr. Thomas,

The vote heretofore taken upon the adoption of the resolution, having for its object, an examination of the Treasury by the committee of Finance,

Was re-considered.

Mr. Thomas moved to strike out all of said resolution after the word "Resolved," and insert the following, viz:—

"By the Senate and House of Representatives, That the committee on Finance of both Houses, be directed to inquire into the State of the Treasury, and report the same to both Houses as soon as practicable;"

Which was agreed to.

Mr. Ficklin moved further to amend said resolution, by adding the following, viz:

"And also, that they be required to examine the office of the Auditor of Public Accounts and report;

Which was agreed to.

The resolution as amended, was then adopted.

Ordered, That the Clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Tunnel moved that the House adjourn until 2 o'clock.

Which was not agreed to.

Mr. Rowan moved to take up the resolution, having for its object the election of a Commissioner of the sales of the Gallatin county Saline lands;

Which was agreed to.

Mr. Ficklin moved to amend said resolution, by adding the following, viz:

"And also, to elect a Senator to the United States Congress, for the next consecutive six years, after the term of the Hon. John M. Robinson, the present incumbent, shall have expired; and also the Judge of Probate of Coles county.

Mr. Stuart moved to amend the proposed amendment, by adding the following:

"Attorney General, State Treasurer, and Auditor of Public Accounts."

Mr. Moore moved to lay the resolution and proposed amendments on the table;

Which was not agreed to.

The question recurring on the motion to amend as proposed by Mr. Stuart.

It was decided in the negative.

On motion of Mr. Thomas,

The proposed amendment to the resolution, was amended by striking out so much as relates to the election of United States Senator.

On motion of Mr. Dunn,

The following was added as a substitute to the proposed amendment of

Mr. Ficklin, as amended:

“And Judges of Probate, in the several counties wherein vacancies have occurred during the recess of the General Assembly, except in the counties of Pike and Fulton.”

Mr. Wyatt moved to lay the resolution and proposed amendments on the table;

Which was not agreed to.

Mr. Manly moved that the House adjourn until 2 o'clock, P. M.

Which was not agreed to. yeas 23—nays 26.

The yeas and nays being called for by two members.

Those voting in the affirmative, are

Messrs. Anderson, Blackwell, Blockburger, Clark, Cloud, Cunningham, Dougherty, Dubois, Ficklin, Gordon, Hackelton, Harris, Hughes, Link, McGahey, Manly, Moore, Oliver, Owen, Tunnel, Vandevanter, Wyatt and Mr. Speaker—23.

Those voting in the negative, are

Messrs. Able, Bowyer, Brown, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Dawson, Dunn, Elliott, Fithian, Frazer, Hamlin, Hampton, Henry, Hunt, Hunter, McHenry, Murphy, Nunnally, Ross, Rowan, Stuart, Thomas, Trower, Whiteside and Wren—26.

The question was then put upon the proposed amendment to the resolution as modified;

And decided in the affirmative.

The resolution as amended, was then adopted.

Ordered, That the Clerk inform the Senate thereof, and ask their concurrence therein.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

On motion of Mr. Ross,
The bill laid upon the table some days since, entitled
"An act, concerning public roads,"
Was taken up for consideration.

On motion of Mr. Ross,
The rule of the House was dispensed with, and the bill read
the second time by its title; and,
On the further motion of Mr. Ross,

Said bill was committed to a committee of the Whole House,
and made the order of the day for Monday next.

Mr. Dougherty moved that the 36th rule of the House be
dispensed with and that the House now resolve itself into a
committee of the Whole House, on the subject of the public
lands;"

Which was not agreed to.

Mr. Rowan moved a re-consideration of the vote upon the
amendment to the bill for "an act, for the relief of Douglass
Merrill;"

Which was not agreed to.

On the question,
Shall said bill now pass?
It was decided in the affirmative.

Mr. Gregory moved to amend the title of the bill, by ad-
ding "and William Gassaway;"

Which was agreed to.

Ordered, That the title of the bill be as aforesaid, that the
Clerk inform the Senate thereof, and ask their concurrence
therein.

The Engrossed bill entitled "an act, concerning the Reve-
nue of the county of St. Clair, for the year 1829;"

Was read a third time and passed.

Ordered, That the title of the bill be as aforesaid, and that
the Clerk inform the Senate thereof, and ask their concurrence
therein.

The bill from the Senate entitled, "An act to organize the
county of Jasper,"

Was read the second time, and,

Ordered to a third reading.

The bill entitled "an act to regulate the mode of taking in the list of taxable property,"

Was read the second time, and,

On motion of Mr. Whiteside,

Referred to the committee on Finance.

The bill entitled "an act to prevent unnecessary delays in the collection of debts;"

Was read the second time; and,

On motion of Mr. Manly,

Referred to a select committee.

Ordered, That Messrs. Manly, Hunter and Vandevanter, be that committee.

The bill entitled "an act for the incorporation of Agricultural Societies,"

Was taken up; when,

Mr. Moore moved that said bill be read a second time by its title;

Which was not agreed to.

The bill was then read a second time; when,

On motion of Mr. Hughes,

Said bill was laid upon the table until the fourth day of July next.

The bill entitled "an act, to amend an act, entitled an act, prescribing the mode of summoning Grand and Petit jurors, and defining their qualifications and duties,"

Was read the second time.

Mr. Gregory moved to commit said bill to a committee of the Whole House.

Mr. Webb moved to amend said motion, so as to make it a motion to commit said bill to the committee on the Judiciary;

Which was agreed to.

The bill was then committed to the committee on the Judiciary.

On motion of Mr. Dougherty,

The House resolved itself into a committee of the Whole House, upon the memorial to Congress relative to the Public Lands. Mr. Wyatt in the chair; and after some time spent therein, Mr. Speaker resumed the chair, and

Mr. Wyatt reported, That the committee of the Whole House had, according to order, said memorial under consideration, and directed him to report the same back to the House without amendment.

And then the House adjourned.

SATURDAY, December 13, 1834.

House met pursuant to adjournment.

A Message from the Governor by Mr. Bradley.

Mr. SPEAKER,—I am directed by the Governor to lay before the House a written communication.

And then he withdrew.

Mr. Cloud from the committee on Enrolled bills, reported as correctly enrolled:

“An act for the benefit of the infant heirs of Willis Snyder deceased.”

Mr. Murphy, from the select committee, to which was referred the bill for

“An act for the relief of John Stockwell, Sheriff of the county of Clark,”

Reported the same with an amendment;

Which was read and concurred in; and,

Ordered to be engrossed, for a third reading.

The message from the Governor, this day received,

Was taken up and read; and is as follows, viz:

EXECUTIVE DEPARTMENT, }
Vandalia, December 13, 1834. }

To the Hon. the SPEAKER of the House of Representatives:

SIR:—In compliance with a resolution of the House of Representatives, of the 9th inst., calling upon this Department for certain information in relation to Canal lands &c., I have the honor to submit a letter from the Auditor of Public Accounts, which will afford all the information desired by said resolution.

I have the honor to be,

Sir, your ob't. serv't.

JOSEPH DUNCAN.

On motion of Mr. Hunter,

Said communication was laid upon the table.

Mr. Speaker laid before the House a communication from the Auditor of Public Accounts, as follows, viz:

AUDITOR'S OFFICE, }
Vandalia, Dec. 12, 1834. }

SIR,—In obedience to a resolution calling on the Auditor to “lay before the House of Representatives, the manner in which the contingent fund has been paid out by order of the Governor last in office, and for what purpose,” I have the honor herewith

to submit the enclosed statement, which is a copy of that part of the Auditor's biennial report in relation to the contingent fund made to the General Assembly on the 4th inst.

Very respectfully,

JAS. T. B. STAPP, *Auditor.*

The Hon. Speaker of the House of Representatives.

Which being read; was,

On motion of Mr. Henry,

Referred to the committee on Public Accounts and Expenditures.

A message from the Senate by Mr. White, their Secretary.

"MR. SPEAKER—I am directed by the Senate, to inform the House of Representatives, that they have concurred with them in the adoption of the resolution, having for its object the meeting of both Houses in the Hall of the House of Representatives at 11 o'clock, to go into an election &c.

They have also concurred with the House of Representatives, in the adoption of the resolution, to direct the committee on Finance of both Houses, to enquire into the state of the Treasury, and the office of the Auditor of Public Accounts.

Mr. Thomas is appointed the committee on Enrolled bills on the part of the Senate."

And he withdrew.

Mr. Hughes, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill for

"An act, to amend an act regulating Elections;"

Which was read the first time, and,

Ordered to a second reading.

Mr. Blockburger, gave notice that he should, on Monday next, or some day thereafter, ask leave to introduce a bill for

"An act, to amend an act entitled an act to establish a state road from Hillsboro' to Alton, approved January 7th 1833."

Mr. Hughes, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill for

"An act, to define and punish contempts of courts;"

Which was read the first time, and

Ordered to a second reading.

Mr. Moore, gave notice that on Wednesday next, or some day thereafter, he should ask leave to introduce a bill for

"An act to amend an act, regulating Enclosures."

Mr. Whiteside proposed for adoption, the following resolution, viz:

Resolved, That a committee of three be appointed to contract for copying the Journal of the House, and preparing the same for publication;"

Which was,

On motion of Mr. Thomas,

Laid upon the table.

On motion of Mr. Stuart,

The communication this day received from the Governor,

Was taken up, and

Referred to the committee on Internal Improvements.

On motion of Mr. Thomas,

The memorial to Congress, in relation to the Public Lands, was referred to a select committee.

Ordered, That Messrs. Thomas, McHenry and Hunt, be that committee.

Mr. Rowan, gave notice that on Monday next, or some day thereafter, he would ask leave to introduce a bill, for the repeal of an act, entitled

"An act for the relief of the securities of Henry Boyer, late Sheriff of Gallatin county."

And then the House adjourned until 11 o'clock, *A. M.*

11 o'clock, *A. M.*

House met pursuant to adjournment.

The Honorable the Senate, preceded by their Speaker, appeared in the Hall of the House of Representatives, for the purpose of electing a commissioner of the sales of the Gallatin county saline lands, and Judges of Probate for the counties of Clinton, Iroquois, Coles and Pope.

Whereupon:—

The vote being taken for Commissioner of the sales of the Gallatin county Salines,

Tyler D. Hewitt, received 68 votes; Elder Lawrence Great rake, received one vote; and Alexander F. Grant, received one vote.

Those who voted for Mr. Hewitt, are

Messrs. Bond, Craig, Davidson, Edwards, Ewing, Gatewood, Hacker, Jones, Lane, Maxwell, McGahey, Noel, Rattan, Sny-

der, Thomas, Vance, Whiteside and Williams of the Senate; and,

Messrs. Able, Blackwell, Bowyer, Brown, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cloud, Cunningham, Dawson, Dougherty, Dunn, Elliott, Ficklin, Fithian, Frazer, Gordon, Gregory, Hackelton, Hamlin, Hampton, Harreld, Harris, Henry, Hughes, Hunt, Hunter, Lincoln, Link, McHenry, McGahey, Moore, Murphy, Nunnally, Oliver, Outhouse, Owen, Ross, Rowan, Stuart, Thomas, Thompson, Trower, Tunnel, Vandevanter, Webb, Whiteside, Wyatt and Mr. Speaker, of the House of Representatives.—68.

Mr. Anderson, of the House of Representatives, voted for Mr. Greatrake.

Mr. Dubois, of the House of Representatives voted for Alexander F. Grant, Esq.

Mr. Speaker appointed Mr. Taylor of the Senate, and Mr. Cloud of the House of Representatives, Tellers.

The House then proceeded to the election of Judges of Probate; and upon the several ballotings being taken, the following persons were duly elected, viz:

For the county of Clinton—JOHN OMELVANY.

For the county of Iroquois—HUGH NEWELL.

For the county of Coles—SYLVESTER W. DUNBAR.

For the county of Pope—JOHN RAUM.

The Senate then withdrew.

And then the House adjourned.

MONDAY, December 15, 1834.

House met pursuant to adjournment.

Mr. Ross, presented the petition of the citizens of the town of Pittsfield, in the county of Pike, praying the Legislature to pass an act to incorporate said town;

And on his motion, the reading thereof was

Dispensed with, and the same referred to the committee on Petitions.

Mr. Thomas, from the select committee, to whom was re-

ferred the memorial to Congress upon the subject of the Public Land

Reported the same back to the House with sundry amendments;

Which were read, and concurred in; and,

On the question,

Shall said memorial as amended, be adopted?

It was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Gregory, from the select committee, to which was referred the petition of the citizens of Township six north, twelve west, for the sale of fractional sixteenth section; reported a bill for

"An act, providing for the sale of the fractional sixteenth section, in Township 6 north, range 12 west, and such other lands as have been selected in lieu of the sixteenth sections in the fractional townships upon the Mississippi and Illinois rivers, in Greene county;"

Which was read the first time, and,

Ordered to a second reading.

On motion of Mr. Gregory,

The rules of the House were dispensed with, and the bill read a second time by its title; and

Ordered to be engrossed, for a third reading.

Mr. Wyatt, from the select committee, to which was referred the bill for "an act, to amend an act entitled an act, relating to the Attorney General, and States' Attorneys,"

Reported the same back to the House without amendment.

Ordered, That said bill be engrossed and read the third time.

Mr. Speaker laid before the House a communication from the Auditor, Treasurer and Attorney General of the State, in pursuance of the provisions of "an act, entitled an act to abolish the office of Canal Commissioners, approved March 1st, 1833;"

Which was read; and,

On motion of Mr. Cloud,

Laid upon the table.

Mr. Lincoln, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill for

"An act to authorize Samuel Musick, to build a toll bridge across Salt Creek in Sangamon county;"

Which was read the first time, and,

Ordered to a second reading.

Mr. Tunnel, gave notice that on Wednesday next, or some day thereafter, he should ask leave to introduce a bill for

"An act, to amend an act, concerning the public revenue, approved Feb. 27th, 1833."

Mr. Manly, from the select committee, to which was referred the bill for "an act, to prevent unnecessary delays in the collection of debts;"

Reported the same back to the House, with sundry amendments.

Which were read and concurred in, and,

On motion of Mr. Webb,

Said bill with the proposed amendments were re-committed to a select committee.

Ordered, That Messrs. Webb, Oliver and Butler, be that committee.

Mr. Manly, from the select committee, to which was referred the bill for "an act to amend an act, regulating the mode of trying the right of property," together with the report of a select committee,

Reported the same back to the House; with sundry amendments.

On motion of Mr. Webb,

Said bill and reports of select committees, were committed to the committee on the Judiciary.

Mr. Rowan, from the select committee, to which was referred the bill for "an act, to extend the jurisdiction of Justices of the Peace, approved Dec. 29th 1826,"

Reported the same back to the House with an amendment;

Which was read. When,

Mr. Ficklin moved to amend said bill by adding at the end of Section 3, the following, viz:

"Or discharge the accused, as he may think right and proper;"

Which was not agreed to.

Mr. Gordon moved to amend said report, by striking out the words "not less than one cent."

Mr. Ficklin moved to re-commit said bill to a select committee.

Mr. Carpenter of Hamilton, moved to lay said bill upon the table, until the 4th day of July next.

The question recurring upon the motion to re-commit said bill to a select committee;

It was decided in the affirmative.

Ordered, That Messrs. Ficklin, Anderson and Elliott, be that committee.

Mr. Wyatt, gave notice that on Saturday next, or some day thereafter, he should ask leave to introduce a bill for

"An act, defining the duties of the Trustees of section number sixteen, and also, relative to the duty of School Commissioner."

Mr. Thomas, proposed for adoption the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed to enquire into the expediency of providing by law for the taxation of all lands lying within the limits of this State, which have been at any time sold to individuals, and by them relinquished to the Government of the United States."

Mr. Thomas moved to commit said resolution to a committee of the Whole House;

Which was not agreed to.

On motion of Mr. Gregory,

Said resolution was laid upon the table until the fourth day of July next.

On motion of Mr. Hughes,

Resolved, That the committee on the Penitentiary, be instructed to report a bill for an act, entitled

"An act, for the election of Warden of the Penitentiary; and regulating his duties."

On motion of Mr. Link,

Resolved, That the committee on Education, be required to examine into the expediency of repealing so much of the law in relation to the Township School fund, as authorizes the School Commissioner to loan the funds of the Townships for the purpose of building school houses;

Mr. Dougherty gave notice that on Wednesday next, or some day thereafter, he should ask leave to introduce a bill for

"An act concerning practice in courts of law."

On motion of Mr. Harris,

Resolved, That the committee on the Judiciary, be instructed to enquire into the expediency of repealing that part of the 9th section, relative to judgments and executions, which requires Sheriffs, to have personal property and real estate, valued or appraised before they can sell it under an execution on contract made since January 17th, 1825.

Mr. Outhouse, gave notice that on Thursday next, or some day thereafter, he would ask leave to introduce a bill for

An act, to amend an act, entitled an act, concerning Mills and Millers, approved Feb. 5th 1827."

The Engrossed bill from the Senate, entitled "an act to organize the county of Jasper;"

Was read a third time and passed.

Ordered, That the title of the bill be as aforesaid, and that the Clerk inform the Senate thereof.

The Engrossed bill, entitled "an act for the relief of John Stockwell, Sheriff of the county of Clark,"

Was read the third time and passed.

Mr. Murphy moved to amend the title of said bill, by adding "and William Worthen, Sheriff of Jackson county;"

Which was agreed to.

Ordered, That the title of the bill be as amended, that the Clerk inform the Senate thereof, and ask their concurrence therein.

The bill entitled "an act, supplemental to an act, concerning the county of Fulton, approved Feb. 25th, 1833,"

Was read the second time, and

On motion of Mr. Hackelton,

Referred to the committee on Finance.

The bill entitled "an act for the relief of William Spencer,"

Was read the second time; when,

On motion of Mr. Thomas,

Referred to a select committee.

Ordered, That Messrs. Thomas, Wyatt and Owen, be that committee.

The bill entitled "an act to amend an act, regulating elections,"

Was read the second time; when;

Mr. Carpenter of Hamilton, moved to refer said bill to a select committee;

Which was not agreed to.

Ordered to be engrossed for a third reading.

Mr. Moore moved that the House adjourn until 2 o'clock, P. M.

Which was not agreed to.

And then the House adjourned.

TUESDAY, *December 16, 1834.*

House met pursuant to adjournment.

Mr. Dunn, from the committee on the Judiciary, to which was referred the petition of H. C. Bennett, praying the Legislature to pass an act authorizing the sale of certain lands &c., made the following report:

"The committee on the Judiciary, to which was referred the Petition of Hiram C. Bennet, praying that a law may pass, authorizing him to sell certain real estate, the property of his minor children, Wm. H. Bennett, Henry C. Bennett, and Philip B. H. McCown Bennett, and invest the proceeds in other real estate, for the benefit of said minors, beg leave to report:

That if it is proper to afford the relief prayed for by the Petitioner, our courts of justice would grant it upon the presentation of a proper case, sustained by evidence, (the parties interested being legally before the court.) Your committee are, therefore of opinion, that it is impolitic to pass an act in pursuance of the prayer of the petitioner Hiram C. Bennett, and recommend that he have leave to withdraw his petition;"

Which was read and concurred in.

Mr. Dunn, from the same committee, made the following report, viz.

"The committee on the Judiciary, to which was referred a resolution, instructing the committee to enquire into the expediency of altering the law, so as to prohibit the migration of free negroes and mulattoes to this State,"

And a resolution instructing the committee to "enquire into the expediency of modifying the law authorizing a change of venue in criminal cases," report,

That they have examined the several subjects referred to them by said resolutions, and are of opinion, that it is inexpedient to make any change in the existing laws in relation thereto,"

Was read and concurred in.

Mr. Dunn from the same committee, to which was referred the bill, entitled

"An act to amend an act, regulating the mode of trying the right of property," together with the reports of select committees,"

Reported the same back to the House with sundry amendments;

Which were read and concurred in; and,

Ordered to be engrossed for a third reading.

Mr. Dunn, from the committee on the Judiciary, to which was referred the bill for

"An act, to amend an act, entitled an act, prescribing the mode of summoning Grand and Petit jurors, and defining their qualifications and duties,"

Reported the same without amendment, and recommended the rejection of said bill.

On the question,

Shall said bill be engrossed and read the third time?

It was decided in the negative.

Mr. Cloud, from the committee on Enrolled bills, made the following report:

"The committee on Enrolled bills, have this day laid before the Council of Revision, an act of the following title, viz:

"An act for the benefit of the infant heirs of Willis Snyder, deceased."

Mr. Hughes from the committee on Public Accounts and Expenditures, made the following report:

"The committee on Public Accounts and Expenditures, have, according to order, had under consideration, the resolution of the House of Representatives, requiring them to enquire into the probable amount of revenue necessary to defray the expenses of the present session of the Legislature, and the current expenses of the years 1835-6, covering also the expenses of a probable session, and direct me to report the following:

One hundred and ten thousand, two hundred dollars."

Which was read; and,

On motion of Mr. Webb,

Referred to the committee on Finance.

Mr. Thomas, from the select committee, to which was referred the bill, entitled "an act, for the relief of William Spencer,"

Reported the same back to the House without amendment;

Ordered to be engrossed, for a third reading.

Mr. Hughes, from the committee on Public Accounts and Expenditures, to which was referred the resolution, instructing said committee to enquire into the expediency of extending further relief to purchasers of lots in the town of Vandalia &c. made the following report, viz:

"The committee on Public Accounts and Expenditures, to which was referred the resolution requiring said committee to enquire into the expediency of granting further relief to certain purchasers of Vandalia lots, have directed me to report:

"That they have had said resolution under consideration, and that they are of opinion no further relief ought to be extended to said purchasers, and that they ask to be discharged from the further consideration of said resolution."

On the question,

Will the House discharge said committee from the further consideration of said resolution?

It was decided in the affirmative.

So the committee were discharged from the further consideration of said resolution.

Mr. Hughes, from the committee on Public Accounts and Expenditures, to which was referred the communication of the Auditor of Public Accounts relative to the contingent fund, made the following report, viz:

"The committee on Public Accounts and Expenditures, to which was referred the report of the Auditor of Public Accounts, relative to the contingent fund, have had the same under consideration, and have directed me to report:

"That in their opinion the principal part of said fund has not been misapplied. The committee however, are of opinion, that some charges which have been allowed, are exorbitant, and have resulted in a useless expenditure of the public money.

The committee ask to be discharged from the further consideration of said subject;"

Which was read. When,

On motion of Mr. Stuart,

Said report was laid upon the table.

Mr. Blackwell, from the select committee, to which was referred the bill, entitled "an act, defining the duties of Public Printer, and fixing the time of performing the same,"

Reported back to the House a substitute;

Which was read and concurred in.

Mr. Henry moved to amend the sixth section, by striking out so much thereof as relates to the binding;

Which was not agreed to.

Mr. Wyatt moved to amend the 2d section of said bill, by adding, "by giving the advertising of non-resident lands, liable

to be sold for taxes, to the paper nearest the county where the land lies."

Mr. Stuart moved to commit said bill with the proposed amendments, to the committee of the Whole House, and make it the order of the day for to-morrow;

Which was agreed to.

Message from the Senate by Mr. White their Secretary.

"MR. SPEAKER—I am directed to inform the House of Representatives, that the Senate have passed a bill, of the following title, viz:

"An act making partial appropriations," in the passage of which, they ask the concurrence of the House of Representatives."

And then he withdrew.

Mr. Wren, gave notice that on Friday next, or some day thereafter, he should ask leave to introduce a bill for

"An act, entitled an act making an appropriation out of the State Treasury, for the completion of the Big Muddy Bridge.

Mr. Hunter, gave notice that on Thursday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act to reduce the fees of Justices of the Peace in certain cases."

Mr. Rowan, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill for

"An act for the relief of the people of Gallatin county;"

Which was read the first time, and,

Ordered to a second reading.

On motion of Mr. Stuart,

Resolved by the Senate and House of Representatives of the State of Illinois, That our Senators be instructed, and our Representatives in Congress be requested, to use their best exertions to procure the passage of a law authorizing the members of the several State Legislatures in the United States, to have the privilege of franking letters and newspapers, to and from the citizens of the counties or districts, they respectively represent, during the session of the respective State Legislatures."

Ordered, That the Clerk inform the Senate thereof, and ask their concurrence.

The engrossed bill from the Senate, entitled,

"An act making partial appropriations."

Which was read the first time, and,

Ordered to a second reading.

Mr. Owen, gave notice that on Thursday next, or some

day thereafter, he would ask leave to introduce a bill, entitled,
 "An act, supplementary to an act, concerning Sheriffs and Coroners."

On motion of Mr. Gregory,

Resolved by the House of Representatives, That the Auditor of Public Accounts, be requested to communicate to this house the amount of rents due, if any, from the Ohio and Vermilion Salines in this state.

On motion of Mr. Link,

The communication from the Auditor relative to the Saline Lands was taken up, and referred to the committee on the Penitentiary.

Mr. Dawson, gave notice that on Thursday next, or some day thereafter, he should ask leave to introduce a bill entitled,
 "An act to amend the law to suppress gaming,"

On motion of Mr. Rowan,

The rule of the House was dispensed with, and the bill entitled,

An act for the relief of the People of Gallatin county;"

Was read the second time by its title, and,

Ordered to be engrossed, for a third reading.

A Message from the Governor by A. P. Field, Esq., Secretary of State,

MR. SPEAKER,—I am directed by the Governor to lay before the House a written communication.

And then he withdrew.

Which was read;

On motion of Mr. Tunnell,

Said communication was laid upon the table,

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

Mr. Speaker, laid before the house a written communication relative to the establishment of local banks,

Which being read; was,

On motion of Mr. Gregory,

Referred to the committee on Finance,

Mr. Stuart moved to dispense with the rule of the House, and that the House resolve itself into a committee of the Whole House upon the act entitled,

"An Act concerning Public Roads;"

Which was not agreed to.

The engrossed bill; entitled,

"An act to amend an act relating to the Attorney General and States Attorneys," and

The engrossed bill, entitled,

"An act providing for the sale of the fractional sixteenth section, in township, six north, Range twelve, west, and such other lands as have been selected in lieu of the 16th sections in the fractional townships upon the Mississippi and Illinois rivers in Green county,"

Were read the third time and passed.

Ordered, That the titles of the bills be as aforesaid, and that the Clerk inform the Senate thereof, and ask their concurrence therein.

The bill entitled

"An act, to define and punish contempts of courts;" and

The Bill entitled,

"An act to authorize Samuel Musick, to build a toll bridge across Salt Creek, in Sangamon county,"

Were severally read the second time; and,

Ordered to be engrossed for a third reading.

On motion of Mr. Hackelton,

The House resolved itself into a committee of the Whole House to take into consideration the bill entitled,

"An act, concerning public roads;"

Mr. Cloud in the chair; and after some time spent therein, Mr. Speaker resumed the chair, and

Mr. Cloud reported, That the committee of the Whole House had, according to order, said bill under consideration, had made some progress therein, and asked leave to sit again,

On the question,

Shall the committee have leave to sit again?

It was decided in the affirmative.

And then the House adjourned.

WEDNESDAY, *December* 17, 1834.

House met pursuant to adjournment.

A message from the council of revision by Mr. Brown their secretary,

Mr. SPEAKER, The council of Revision has approved an act with the following title, viz:

"An act for the benefit of the infant heirs of Willis Snyder deceased."

And he withdrew.

Mr. Gregory presented a communication from Hart Fellows relative to a division of Schuyler county, and moved that the reading thereof be dispensed with, and that it be referred to the committee on Petitions,

Which was agreed to.

Mr. Hughes presented the petition of sundry citizens of St. Clair county, praying the establishment of a Ferry across the Mississippi river, opposite St. Louis which was read, and

On motion of Mr. Blackwell,

Referred to the committee on Petitions.

Mr. Cloud from the committee on Enrolled bills, reported as correctly enrolled

"A memorial and resolution on the subject of Hospitals in the interior of the United States."

Mr. Stuart, from the committee on petitions, to whom was referred the petition on that subject; reported a bill, entitled,

"An act for the benefit of the town of Pittsfield in the county of Pike,"

Which was read the first time, and,

Ordered to a second reading.

Mr. Stuart from the same committee to which was referred the petition on that subject reported a bill entitled,

"An act to change part of the State Road from Jacksonville to Quincy;"

Which was read the first time, and,

Ordered to a second reading.

Mr. Dubois from the select committee to which was referred the joint resolution, relative to a road from Vincennes to Chicago.

Reported back to the House a substitute;

Which was read and concurred in.

On the question,

Will the House adopt the resolution as amended?

It was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Lincoln moved that the report of the committee on Public Accounts and Expenditures, relative to the contingent fund, some days since laid upon the table, be now taken up;

Which was not agreed to.

Mr. Whiteside, from the select committee, to which was referred the bill entitled,

"An act, to provide for the election of County Recorders and Surveyors,"

Reported the same back to the House, with sundry amendments.

Which were read and concurred in, and,

On the question;

Shall said bill now pass?

It was decided in the affirmative. yeas 41. nays 9.

The yeas and nays being called for by two members.

Those voting in the affirmative, are,

Messrs. Able, Blackwell, Blockburger, Brown, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Cloud, Cunningham, Dawson, Dougherty, Elliott, Gordon, Fithian, Frazer, Hackelton, Hamlin, Hampton, Harreld, Hughes, Hunter, Henry, Lincoln, Link, McGahey, Manly, Moore, Murphy, Nunnally, Outhouse, Owen, Ross, Rowan, Stuart, Thomas, Thompson, Trower, Tunnel, Vandevanter, Whiteside, Wren, Wyatt and Mr. Speaker—41.

Those voting in the negative are,

Messrs. Anderson, Bowyer, Dubois, Dunn, Ficklin, Hunt, McHenry, Oliver and Webb—9.

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Tunnel, agreeably to previous notice, asked and obtained leave to introduce a bill, entitled

"An act, to amend an act, concerning the public revenue, approved Feb. 27th, 1833."

Which was read the first time; and

Ordered to a second reading.

On motion of Mr. McGahey,

The communication of the Governor, relative to the appropriation for the improvement of the Great Wabash river,

Was taken up; and,

Referred to the committee on Internal Improvements.

Mr. Murphy from the select committee, to which was referred the petition on that subject, reported a bill, entitled

"An act, to view and lay out a road from the nine mile tree, at or near Little Rattle Snake Creek, in Jackson county, to New Nashville in Washington county;"

Which was read the first time, and,

Ordered to a second reading.

Mr. Thomas, proposed for adoption the following resolution, viz:

Resolved, That the committee on Internal Improvements, be instructed to ascertain and report to this House, the probable cost of constructing the contemplated Canal, between Lake Michigan and the Illinois river—the quantity of canal lands yet remaining unsold—the probable aggregate value of said lands, and the probable amount in which the value of said lands would be enhanced, by the construction of said work."

Mr. Dougherty moved to amend said resolution by adding at the end thereof,

"And also, the probable cost of constructing a Rail-way."

Mr. Rowan moved to amend the proposed amendment, by adding thereto,

"And also, the probable cost of constructing a well regulated McAdamized road;"

Which was not agreed to.

The question was then put upon the amendment proposed by Mr. Dougherty.

It was decided in the negative.

On the question,

Shall said resolution be adopted?

It was decided in the affirmative.

Mr. Blockburger, in pursuance of previous notice, asked and obtained leave to introduce a bill for

"An act to establish a state road from Hillsboro' to Alton;"

Which was read the first time, and

Ordered to a second reading.

The engrossed bill, entitled "an act to define and punish contempts of courts,"

Was read the third time, and

Upon the question,

Shall said bill now pass?

It was decided in the negative.

The engrossed bill, entitled "an act to authorize Samuel Musick, to build a toll bridge across Salt Creek in Sangamon county;"

Was read the third time; when,
On motion of Mr. Carpenter of Sangamon,
Referred to a select committee.

Ordered, That Messrs. Carpenter of Sangamon, Stuart and Lincoln, be that committee.

The engrossed bill entitled "an act, to amend an act regulating Elections;"

Was read the third time.

Mr. Gordon moved to amend the second section of said bill, by adding after the word "court," the words "if they shall think proper;"

Which was agreed to.

On the question,
Shall said bill as amended, now pass?
It was decided in the affirmative.

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence therein.

And then the House adjourned until 2 o'clock, *P. M.*

2 o'clock, P. M.

House met pursuant to adjournment.

The engrossed bill, entitled "an act for the relief of the people of Gallatin county;"

Was read the third time and passed.

Mr. Rowan moved to amend the title of the bill, so as to make it "an act to repeal an act for the relief of the securities of Henry Bowyer, late Sheriff of Gallatin county, approved Feb. 26th 1833;"

Which was agreed to.

Ordered, That the title of the bill be as amended, that the Clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Cloud, from the committee on Enrolled Bills, reported as correctly enrolled,

“An act to organize the county of Jasper.”

The Engrossed bill, entitled “an act to amend an act, regulating the mode of trying the rights of property,”

Was read the third time and passed.

Mr. Ficklin moved to amend the title of said bill, by striking out the letter “s,” from the word “rights;”

Which was agreed to.

Ordered, That the title of the bill be as amended, that the Clerk inform the Senate thereof, and ask their concurrence therein.

The Engrossed bill, entitled “an act for the relief of William Spencer,”

Was read the third time and passed.

Ordered, That the title of the bill be as aforesaid, and that the Clerk inform the Senate thereof, and ask their concurrence therein.

The Engrossed bill from the Senate, entitled “an act making partial appropriations,”

Was read the second time; and,

Ordered to a third reading.

On motion of Mr. Hackelton,

The rule of the House was dispensed with, and the bill was now read the third time.

On the question,

Shall said bill now pass?

It was decided in the affirmative.

Ordered, That the title of the bill be as aforesaid, and that the Clerk inform the Senate thereof.

On motion of Mr. Gordon,

The House again resolved itself into a committee of the Whole House, to take into consideration

“An act, concerning Public Roads,”

Mr. Cloud in the Chair; and after some time spent therein,

Mr. Speaker resumed the Chair, and

Mr. Cloud reported, That the committee of the Whole House had, according to order, said bill under consideration, had made some progress therein, and had directed him to ask leave to sit again.

On the question,

Shall leave be given?

It was decided in the affirmative.

And then the House adjourned.

THURSDAY, December 18, 1834.

House met pursuant to adjournment.

Mr. Cloud from the committee on Enrolled bills, reported as correctly enrolled,

“An act making partial appropriations.”

Mr. Dawson, from the committee on Internal Improvements, to which was referred the Auditor's report, as to the amount of canal lands sold by the canal commissioners, and the manner in which the monies arising therefrom have been disbursed, reported thereon, and asked to be discharged from the further consideration of said report.

On the question,

Will the House discharge said committee from the further consideration of said resolution?

It was decided in the affirmative.

So the committee were discharged from the further consideration of said report.

Mr. Dawson, from the same committee, to which was referred the communication of the Governor and Auditor of Public Accounts, relative to the improvement of the Great Wabash river, reported a bill, entitled

“An act to amend an act, relative to the improvement of the Great Wabash river, approved Feb. 12th 1833;”

Which was read the first time, and,

Ordered to a second reading.

Mr. Webb, from the select committee, to which was referred the bill, entitled

“An act to prevent unnecessary delays in the collection of debts;”

Reported the same without amendment, and recommended the rejection of said bill.

Mr. Wyatt moved to lay said bill upon the table.

Which was agreed to.

Mr. Carpenter of Hamilton, from the select committee, to which was referred the resolution directing them to enquire into the expediency of so altering the law relative to the mode of Sheriffs collecting taxes, so as to authorize them to make advertisement in each Captain's company in their county, of the time and place, when and where, they will attend to receive them &c. reported a bill, entitled

“An act to alter the mode of collecting taxes;”

Which was read the first time, and,

Ordered to a second reading.

On motion of Mr. Link,

The rule of the House was dispensed with, and the bill read the second time by its title; and,

On the further motion of Mr. Link,

Said bill was referred to the committee on Finance.

Mr. Manly, presented the petition of sundry citizens of Clark county, praying the removal of the county seat.

On motion of Mr. Nunnally,

The reading thereof was dispensed with, and the same

Referred to a select committee.

Ordered, That Messrs. Nunnally, Manly and McGahey, be that committee.

Mr. Hunter, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill, entitled

"An act to reduce the fees of Justices of the Peace and Constables, in certain cases,"

Which was read the first time, and,

Ordered to a second reading.

Mr. Webb, gave notice that on Saturday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act to amend an act, entitled an act, relative to promissory notes, bonds, due bills, and other instruments in writing, making them assignable, approved January 3, 1827."

On motion of Mr. Gordon,

Resolved, That the select committee, appointed to contract for the printing of this House, be required to inquire into the cause of the delay in the printing of documents ordered by this House, and report to this House.

Mr. McHenry, gave notice that on Monday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act concerning sales of sections numbered sixteen."

The bill, entitled "An act to change part of the State Road from Jacksonville to Quincy;"

Was read the second time, and,

On motion of Mr. Ross,

Referred to a select committee.

Ordered, That Messrs. Ross, Henry and Vandevanter, be that committee.

The bill, entitled "An act for the benefit of the town of Pittsfield in the county of Pike,"

Was read the second time, and

Ordered to be engrossed for a third reading.

The bill, entitled "An act to amend an act, concerning the public revenue, approved Feb. 27th, 1833,"

Was read the second time, and,

On motion of Mr. Dubois,

Referred to the committee on Finance.

The bill, entitled "An act to view and lay out a road from the nine mile tree, at or near Little Rattle Snake creek in Jackson county, to New Nashville in Washington county,"

Was read the second time; when,

Mr. Moore moved to amend the third section of said bill, by striking out the word "shall," and inserting the words "may allow if they think proper."

Mr. Rowan moved to amend the amendment, by striking out the words "if they think proper."

Mr. Bowyer moved to refer the bill with the proposed amendments, to a select committee;

Which was agreed to.

Ordered, That Messrs. Bowyer, Murphy and Able, be that committee.

The bill, entitled "An act, to amend an act, to establish a state road from Hillsboro' to Alton,"

Was read the second time; and,

Ordered to be engrossed for a third reading.

On motion of Mr. Hackelton,

The House resolved itself into a committee of the Whole House to take into consideration the bill entitled,

"An act, concerning public roads,"

Mr. Cloud in the chair; and after some time spent therein, Mr. Speaker resumed the chair, and

Mr. Cloud reported, That the committee of the Whole House had, according to order, said bill under consideration, had made some progress therein, and asked leave to sit again,

On the question,

Shall the committee have leave to sit again?

It was decided in the affirmative.

Message from the Senate by Mr. White their Secretary.

"MR. SPEAKER—I am directed to inform the House of Representatives, that the Senate have adopted the following resolution, viz:

Resolved by the Senate, (the House of Representatives concurring herein,) That both branches of the General Assembly meet in the Hall of the House of Representatives, on Saturday the

20th inst., for the purpose of electing one Senator to the Congress of the United States, for the next consecutive six years; after the term of the Hon. John M. Robinson, in the adoption of which, they ask the concurrence of the House of Representatives." And then he withdrew.

Mr. Frazer moved to amend the resolution by adding after the word "Saturday," the words "11 o'clock, A. M."

Mr. Stuart proposed to amend the proposed amendment, by adding at the end of the resolution, the words "and also Attorney General;"

Which was not agreed to.

Mr. Rowan moved to amend the proposed amendment, by striking out the words "Saturday the 20th inst.," and inserting the words "8th day of January next."

Mr. Blockburger moved the previous question.

The question recurring upon the amendment proposed by Mr. Rowan.

It was decided in the negative.

The question then recurring upon the amendment proposed by Mr. Frazer.

It was decided in the affirmative.

On the question,

Shall the main question be now put?

It was decided in the affirmative. yeas 38—nays 13.

The yeas and nays being called for by two members:

Those voting in the affirmative, are,

Messrs. Able, Anderson, Blockburger, Brown, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Cloud, Cunningham, Dawson, Dougherty, Dubois, Ficklin, Fithian, Frazer, Gordon, Hackelton, Hamlin, Hampton, Harris, Hughes, Hunt, Hunter, Lincoln, Link, McHenry, McGahey, Manly, Murphy, Nunnally, Outhouse, Owen, Rowan, Tunnel, Vandevanter, Webb and Wyatt—38.

Those voting in the negative, are

Messrs. Blackwell, Dunn, Elliott, Harreld, Henry, Moore, Oliver, Ross, Stuart, Thompson, Trower, Wren and Mr. Speaker—13.

Upon the question,

Shall said resolution as amended, be adopted?

It was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof, and ask their concurrence in the amendments to the resolution.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock. P. M.

House met pursuant to adjournment.

A message from the Senate by Mr. White, their Secretary.

"MR. SPEAKER—I am directed to inform the House of Representatives, that the Senate have refused to read a second time, the bill from the House of Representatives, entitled

"An act to provide for the election of County Recorders and Surveyors."

And then he withdrew.

On motion of Mr. Henry,

The House again resolved itself into a committee of the Whole House, to take into consideration, the bill, entitled

"An Act concerning Public Roads;"

Mr. Stuart in the Chair;

And after some time spent therein,

Mr. Speaker resumed the Chair; and

Mr. Stuart reported, That the committee of the Whole House had, according to order, said bill under consideration, had made further progress therein, and directed him to ask leave to sit again.

On the question,

Shall the committee of the Whole House, have leave to sit again on said bill?

It was decided in the affirmative.

And then the House adjourned.

FRIDAY, December 19, 1834.

House met pursuant to adjournment.

Message from the Senate by Mr. White, their Secretary.

"MR. SPEAKER—I am directed by the Senate to inform the House of Representatives that they have concurred with them in their amendment to the resolution, having for its object the election of United States Senator, on Saturday the 20th inst.

They have also concurred with the House of Representatives, in the passage of bills of the following titles, viz:

"An act, forming an additional Justice's district in the county of Sangamon, including the town of Athens."

"An act for the relief of Douglass Merrill and William Gasaway."

"An act, concerning the revenue of the county of St. Clair, for the year 1829."

They have also passed bills of the following titles, viz:

"An act for the benefit of Daniel Curtin."

"An act to permanently locate the road leading from Vandalia to Shelbyville, as far as the county line of Fayette county," in the passage of which, they ask the concurrence of the House of Representatives."

And he withdrew.

Mr. Cloud, from the committee on Enrolled bills, reported, That they had laid before the Council of Revision, bills, of the following titles, viz:

"An act, to organize the county of Jasper,"

"An act, making partial appropriations."

The memorial and resolution, on the subject of Hospitals in the interior of the United States, was handed to the Governor.

Mr. Stuart, from the committee on Petitions, to which was referred the petition on that subject, reported a bill, entitled

"An act, altering the State Road from Vincennes to St. Louis;"

Which was read the first time; and

Ordered to a second reading.

On motion of Mr. Stuart,

The rule of the House was dispensed with, and said bill was now read the second time by its title, and, on the further motion of

Mr. Stuart, said bill and petition was

Referred to the committee on the Judiciary.

A message from the Council of Revision, by Mr. Brown their Secretary.

"**MR. SPEAKER**—The Council of Revision, have approved bills of the following titles, viz:

"An act, making partial appropriations,"

"An act, to organize the county of Jasper."

And then he withdrew.

Mr. Blockburger moved that a committee be appointed to

confer with a committee of the Senate, on the disagreeing vote of the two Houses, on the bill entitled

"An act, providing for the election of County Recorders and Surveyors;"

Which was agreed to.

Ordered, That Messrs. Blockburger, Whiteside and Wyatt, be that committee.

Ordered, That the Clerk inform the Senate thereof.

The Engrossed bill from the Senate, entitled

"An act, for the benefit of Daniel Curtin,"

Was read the first time; and,

Ordered, to a second reading.

The Engrossed bill from the Senate, entitled

"An act to permanently establish the road leading from Vandalia to Shelbyville, as far as the county line of Fayette county,"

Was read the first time; and,

Ordered to a second reading.

The bill entitled, "an act to reduce the fees of Justices of the Peace and Constables in certain cases,"

Was read the second time; and

On motion of Mr. Bowyer,

Referred to a select committee of five.

Ordered, That Messrs. Bowyer, Hunter, Blockburger, Moore and Hackelton, be that committee.

The bill, entitled "an act to amend an act, relative to the improvement of the Great Wabash river, approved February 12, 1833,"

Was read the second time; and

On motion of Mr. McGahey,

Referred to a select committee.

Ordered, That Messrs. McGahey, McHenry and Nunnally, be that committee.

Mr. Hunter moved that the House again resolve itself into a committee of the Whole House, to take into consideration the bill, entitled

"An act concerning Public Roads;"

Which was not agreed to.

Mr. Rowan moved that the House now resolve itself into a committee of the Whole House, to take into consideration, the bill, entitled

"An act, defining the duties of Public Printer, and fixing the

time of performing the same," with the proposed amendments;
Which was not agreed to.

On motion of Mr. Thomas,

The House now resolved itself into a committee of the Whole House, to take into consideration the bill, entitled

"An act, defining the duties of Public Printer, and fixing the time of performing the same," with the proposed amendments;

Mr. Dawson in the Chair,

And after some time spent therein,

Mr. Speaker resumed the Chair, and

Mr. Dawson reported, That the committee of the Whole House had, according to order, said bill under consideration, have made sundry amendments thereto, in which they ask the concurrence of the House.

On the question,

Will the House concur with the committee of the Whole House, in their amendments to said bill?

It was decided in the affirmative.

Ordered to be engrossed as amended, for a third reading.

Mr. Gordon moved that the House adjourn until 2 o'clock,
P. M.

Which was not agreed to.

And then the House adjourned.

SATURDAY, December 20, 1834.

House met pursuant to adjournment.

Message from the Senate by Mr. White their Secretary.

"MR. SPEAKER—I am directed to inform the House of Representatives, that the Senate have adopted the following preamble and resolution, viz:

WHEREAS, A large number of our citizens are now living on Public Lands, that were unsurveyed at the date of their location: AND WHEREAS, A still greater number are settlers on lands to which the surveys have not been extended: AND

WHEREAS, the existing pre-emption laws, are based on legal sub-divisions, and therefore do not extend the benefits contem-

plated by the existing laws, to the settlers above enumerated:

Therefore:—

Resolved by the General Assembly of the State of Illinois, That our Senators in Congress be instructed, and our Representatives requested to use their exertions to secure the passage of a law, extending to settlers on Public Lands, that were surveyed subsequent to their settlement, the privilege of entering one hundred and sixty acres, in forty or eighty acre tracts, or either or both, under the pre-emption privilege, so as to secure their improvements, where the same have been sub-divided by the lines of the Public Surveys, in the adoption of which, they ask the concurrence of the *House of Representatives*.

They have concurred with the House of Representatives, in the adoption of the resolution relative to the road leading from Vincennes to Chicago.

They have passed bills of the following titles, viz:

“An act to establish an uniform mode of holding circuit courts,” and

“An act, to amend an act, entitled an act, to provide for the election of Justices of the Peace and Constables,” in the passage of which, they ask the concurrence of the *House of Representatives*.

And then he withdrew.

Mr. Ross presented the petition of 665 voters of Adams county, praying a removal of the seat of justice of said county, to the geographical centre;

Which was read in part; and,

On motion of Mr. Ross,

The further reading thereof was dispensed with and it was Referred to a select committee.

Ordered, That Messrs. Ross, Butler and Hackelton, be that committee.

Mr. Carpenter of Sangamon, from the select committee, to which was referred the bill, entitled

“An act to authorize Samuel Musick to build a toll-bridge across Salt Creek in Sangamon county,”

Reported the same back to the House with an amendment;

Which was read and concurred in.

On the question,

Shall said bill as amended, now pass?

It was decided in the affirmative.

Ordered, That the title of the bill be as aforesaid, that the

Clerk inform the Senate thereof, and ask their concurrence therein.

Mr. McHenry, gave notice that on Monday next, or some day thereafter, he should ask leave to introduce a bill, entitled
 "An act to authorize Williams and Weed, to erect a ferry on the Little Wabash."

And then the House adjourned until 11 o'clock, *A. M.*

11 o'clock, *A. M.*

House met pursuant to adjournment.

Mr. McHenry, gave notice that on Monday next, or some day thereafter, he should ask leave to introduce a bill, entitled
 "An act, concerning Public Roads."

The Senate, in pursuance of the joint resolution, preceded by their Speaker, appeared in the Representative Hall, and proceeded by a joint *viva voce* vote, to the election of a Senator to the Congress of the United States, for six years next, ensuing the 4th of March, 1835;

When it appeared that

JOHN M. ROBINSON, received a majority of all the votes given for that office, and was therefore, declared duly elected, by the Speaker of the House of Representatives.

Those who voted for JOHN M. ROBINSON, are,

Messrs. Craig, Davidson, Edwards, Ewing, Forquer, Hacker, Jones, Lane, Mills, Mitchell, McGahey, Noel, Stephenson, Taylor, Whiteside and Williamson, of the Senate; and,

Messrs. Able, Anderson, Blockburger, Bowyer, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cloud, Cunningham, Dawson, Dougherty, Dubois, Dunn, Ficklin, Frazer, Hampton, Harris, Henry, Hunt, Hunter, McHenry, McGahey, Manly, Murphy, Nunnally, Rowan, Thomas, Thompson, Trower, Webb and Wyatt, of the House of Representatives—47.

Those who voted for RICHARD M. YOUNG, are,

Messrs. Bond, Maxwell, Rattan, Snyder, Vance, Will and Williams, of the Senate; and,

Messrs. Blackwell, Brown, Butler, Elliott, Fithian, Gregory, Hackelton, Hamlin, Harreld, Hughes, Lincoln, Link, Moore,

Oliver, Outhouse, Owen, Ross, Stuart, Tunnel, Vandevanter, Whiteside, Wren and Mr. Speaker, of the House of Representatives—30.

Those who voted for WILLIAM B. ARCHER, are,
Messrs. Gatewood, Mather and Thomas, of the Senate; and
Mr. Gordon of the House of Representatives.

The Senate withdrew.

And then the House adjourned until Monday morning 10 o'clock.

MONDAY, *December 22d*, 1834.

House met pursuant to adjournment.

Mr. Dawson, presented the petition of sundry citizens of Sangamon county, praying the establishment of a certain state road therein mentioned;

And on his motion,

The reading thereof was dispensed with, and the same
Referred to a select committee.

Ordered, That Messrs. Dawson, Henry and Brown, be that committee.

Mr. Thompson presented the petitions of sundry citizens of Randolph county, praying a removal of the seat of justice of said county; and

On his motion,

The reading thereof was dispensed with, and the same
Referred to a select committee.

Ordered, That Messrs. Thompson, Tunnel and Able, be that committee.

Mr. Cloud, from the committee on Enrolled Bills, reported as correctly enrolled, bills of the following titles, viz:

"An act for the relief of Douglass Merrill, and William Gasaway."

"An act, concerning the revenue of the county of St. Clair, for the year 1829;"

"An act, forming an additional justice's district in the county of Sangamon, including the town of Athens."

Mr. Gordon, proposed for adoption the following resolution, viz:

Resolved, That the committee on the Judiciary, be instructed to enquire whether an appropriation ought to be made, to compensate sundry citizens of Morgan county, for attending as witnesses before the Supreme Court of this State, at the present term, on behalf of the people, in a case wherein the people of Illinois are plaintiffs, and Josiah Lamborn is defendant, and that they have leave to report by bill or otherwise;"

Which was not agreed to.

On motion of Mr. Rowan,

Resolved by the House of Representatives, That the 43d rule of this House be dispensed with, and that hereafter the standing order of adjournment shall be nine o'clock in the morning, in place of ten.

The yeas and nays being called for, on the adoption of this resolution by two members:

Those voting in the affirmative, are,

Messrs. Able, Anderson, Blackwell, Blockburger, Brown, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Cloud, Cunningham, Dawson, Ficklin, Fithian, Frazer, Gordon, Gregory, Hackelton, Hamlin, Hampton, Harreld, Henry, Hughes, Hunt, Lincoln, Link, McHenry, McGahey, Manly, Murphy, Nunnally, Oliver, Onthouse. Owen, Ross, Rowan, Stuart, Thomas, Thompson, Vandevanter, Whiteside, Wren and Mr. Speaker—45.

Those voting in the negative are,

Messrs. Dougherty, Dubois, Dunn, Elliott, Harris, Moore, Trower, Webb and Wyatt—9.

The Engrossed bill, for "An act, defining the duties of Public Printer, and fixing the time and manner of performing the same,"

Was read the third time; when,

Mr. Wyatt moved to strike out the 6th section of said bill.

Which was not agreed to.

The yeas and nays being called for on this motion, by two members.

Those voting in the affirmative, are,

Messrs. Anderson, Blockburger, Bowyer, Carpenter of Hamilton, Cloud, Stuart, Vandevanter, Whiteside and Wyatt—9.

Those voting in the negative, are

Messrs. Able, Blackwell, Brown, Butler, Carpenter of Sangamon, Cunningham, Dawson, Dougherty, Dubois, Dunn,

Elliott, Ficklin, Fithian, Frazer, Gordon, Gregory, Hackelton, Hamlin, Hampton, Harreld, Harris, Henry, Hughes, Hunt, Lincoln, Link, McHenry, McGahey, Moore, Murphy, Nunnally, Oliver, Outhouse, Owen, Ross, Rowan, Thomas, Thompson, Trower, Webb, Wren and Mr. Speaker—42.

Mr. Wyatt moved to lay said bill upon the table, until the fourth day of July next;

Which was not agreed to.

The yeas and nays being called for on this motion, by two members.

Those voting in the affirmative, are

Messrs. Dubois, Stuart and Wyatt—3.

Those voting in the negative, are,

Messrs. Able, Anderson, Blackwell, Blockburger, Bowyer, Brown, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Cloud, Cunningham, Dawson, Dougherty, Dunn, Elliott, Ficklin, Fithian, Frazer, Gordon, Gregory, Hackelton, Hamlin, Hampton, Harreld, Harris, Henry, Hughes, Hunt, Lincoln, Link, McHenry, McGahey, Moore, Murphy, Nunnally, Oliver, Outhouse, Owen, Ross, Rowan, Thomas, Thompson, Trower, Tunnel, Vandevanter, Webb, Whiteside, Wren and Mr. Speaker—49.

On motion of Mr. Gregory,

The bill was amended, by adding at the end of the 1st section, the following, viz:

Provided, That nothing herein contained, shall extend to the advertisement of Estrays and Administrators notices.

On motion of Mr. Dunn,

Said bill was referred to a select committee.

Ordered, That Messrs. Dunn, Blackwell and Gregory, be that committee.

The bill from the Senate, entitled

An act, to permanently establish the road leading from Vandalia to Shelbyville, as far as the county line of Fayette county,"

Was read the second time, and,

On motion of Mr. Blackwell,

Referred to a select committee.

Ordered, That Messrs. Blackwell, Trower and Cunningham, be that committee.

The bill from the Senate, entitled

"An act for the benefit of Daniel Curtin,"

Was read the second time; and,

Ordered to a third reading.

The preamble and resolution from the Senate, relative to the pre-emption right on public lands,

Was read and concurred in.

Ordered, That the Clerk inform the Senate thereof.

The bill from the Senate, entitled

"An act, to amend an act, entitled an act, to provide for the election of Justices of the Peace and Constables,"

Was read the first time, and

Ordered to a second reading.

The bill from the Senate, entitled

"An act, to establish an uniform mode of holding circuit courts,"

Was read the first time, and,

Ordered, to a second reading.

Mr. McHenry moved that the rule of the *House* be dispensed with, and that said bill be now read a second time by its title;

Which was not agreed to.

On motion of Mr. Ross,

The *House* resolved itself into a committee of the Whole *House* to take into consideration the bill entitled,

"An act, concerning public roads,"

Mr. Cloud in the chair; and after some time spent therein, Mr. Speaker resumed the chair, and

Mr. Cloud reported, That the committee of the Whole *House* had, according to order, said bill under consideration, had made some further progress therein, and directed him to ask leave to sit again.

On the question,

Shall leave be given?

It was decided in the negative.

Mr. Gordon moved that the *House* adjourn until 2 o'clock,
P. M.

Which was not agreed to.

Mr. Webb moved that the *House* adjourn?

It was decided in the affirmative. yeas 27. nays 22.

The yeas and nays being called for by two members;

Those who voted in the affirmative, are

Messrs. Able, Anderson, Blockburger, Brown, Cloud, Dubois, Dunn, Elliott, Ficklin, Frazer, Hackelton, Harris, Henry, Link, McHenry, McGahey, Murphy, Oliver, Ross, Rowan, Stuart, Thomas, Trower, Webb, Whiteside, Wyatt and Mr. Speaker—27.

Those who voted in the negative, are

Messrs. Blackwell, Bowyer, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Cunningham, Fithian, Gordon, Gregory, Hamlin, Hampton, Harreld, Hughes, Hunt, Lincoln, Moore, Nunnally, Outhouse, Owen, Thompson, Tunnel and Vardevanter—22.

And then the House adjourned until to-morrow morning 9 o'clock.

TUESDAY, *December 23, 1834.*

House met pursuant to adjournment.

On motion,

The House adjourned until 10 o'clock, A. M.

10 o'clock, A. M.

House met pursuant to adjournment.

Message from the Senate by Mr. White their Secretary.

"MR. SPEAKER—I am directed to inform the House of Representatives, that the Senate have adopted the following resolutions, viz:

Resolved by the General Assembly of the State of Illinois, That our Senators and Representatives in Congress, be requested to use their influence, to procure the passage of a law by Congress, granting to this State, the reserved alternate sections of land on the Canal route from Lake Michigan to the Illinois river, for the purpose of further aiding this State in constructing a canal or rail-way, between said Lake and the Illinois river.

Resolved, That they be requested to use their influence, should such a law pass, so to guard it with provisions, that the State may use the lands herself in making the work, or dispose of them to a Company, upon such terms as the Legislature may provide, in order to insure the accomplishment of the work as speedily as possible.

Resolved, That should they not be able to procure an unconditional grant of said lands to the State, then they are hereby requested, to use their exertions to procure the passage of a law containing a pledge, that if the State will cause the work to be completed by the State or a Company, within ten years next after the passage of such an act, the title of the said alternate sections shall rest in the State or her guarantees.

Resolved, That if they cannot procure the grant to be made, upon either of the above terms, that they use their influence to obtain for the State a preference in the purchase of those lands, at a reasonable price for the whole, allowing to the State a reasonable credit for the same, and that they include in any law which they may procure the passage of, relating to the Canal, the military reservation or fractional section of land on which Fort Dearborn at Chicago stands.

Resolved further, That they use exertions to except from the operation of any pre-emption law, all those reserved alternate sections on the Canal route," in the adoption of which, they ask the concurrence of the House of Representatives.

The Senate have concurred with the *House of Representatives*, in the adoption of the preamble and resolution from the House, relative to the establishment of ports of entry, as amended by them, in which amendment they ask the concurrence of the *House of Representatives*.

Amended as follows, viz:

Strike out all the preamble; and strike out the word "afore-said," and all after the word "Entry" in the resolution."

And then he withdrew.

On motion of Mr. Dubois,

Leave of absence was granted to Mr. Murphy, for fourteen days.

A Message from the Governor by Mr. Bradley.

Mr. SPEAKER,—I am directed by the Governor to lay before the House a written communication.

And then he withdrew.

Mr. Cloud from the committee on Enrolled bills, reported that they have this day laid before the Council of Revision, bills of the following titles, viz:

"An act, concerning the revenue of the county of St. Clair, for the year 1829."

"An act, forming an additional Justice's district in the county of Sangamon, including the town of Athens."

"An act, for the relief of Douglass Merrill and William Gasaway."

Mr. Whiteside, from the committee on Finance, to which was referred a resolution relative to Clock-Pedlars, reported a bill, entitled

"An act to regulate the mode of granting license to Clock-Pedlars;"

Which was read the first time, and,

Ordered to a second reading.

Mr. Webb, in pursuance of previous notice, asked and obtained leave to introduce a bill, entitled

"An act, to amend an act, entitled an act relative to promissory notes, bonds, due-bills, and other instruments in writing, and making them assignable; approved January 3, 1827;"

Which was read the first time; and

Ordered to a second reading.

Mr. Dunn, from the select committee, to which was referred the bill, entitled

"An act, defining the duties of Public Printer, and fixing the time of performing the same;"

Reported the same back to the House, with sundry amendments.

Which were read and concurred in, and,

On the question,

Shall said bill as amended, now pass?

It was decided in the affirmative.

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Blackwell, from the select committee, to which was referred the bill, entitled

"An act to permanently establish the road leading from Vandalia to Shelbyville, as far as the county line of Fayette county,"

Reported the same back to the House with an amendment;

Which was read and concurred in; and said bill was

Ordered to a third reading.

Mr. Nunnally, from the select committee, to which was referred the petition of sundry citizens of Clark county, praying a removal of the county seat of said county, reported a bill, entitled

"An act to remove the seat of justice of Clark county;"

Which was read the first time, and

Ordered to a second reading.

Mr. Nunnally, presented the petition of sundry citizens of Edgar county, praying a certain road therein mentioned, to be made a state road;

And on his motion,

The reading thereof was dispensed with, and the same Referred to a select committee.

Ordered, That Messrs. Nunnally, Fithian and Manly, be that committee.

On motion of Mr. Link,

Resolved, That the committee on the Penitentiary, be required to inquire into the expediency of authorizing the Governor of the State, or the Inspectors of the Penitentiary, to lease or hire the Penitentiary and convicts, on the best terms possible; and that they report by bill or otherwise.

The communication this day received from the Governor, Was then read and is as follows, viz:

EXECUTIVE DEPARTMENT, }
Vandalia, December 20, 1834. }

To the Hon. the SPEAKER of the House of Representatives:

SIR—I beg leave to inform the House of Representatives, that a vacancy has occurred in the office of County Surveyor of the county of Adams, by the death of Hugh White.

I have the honor to be,

Your ob't. serv't.

JOSEPH DUNCAN.

And,

On motion of Mr. Hackelton,

Laid upon the table.

On motion of Mr. Outhouse,

The communication from the Auditor, Treasurer and Attorney General, relative to the canal lands—some days since laid upon the table,

Was taken up, and

Referred to the committee on Public Accounts and Expenditures.

On motion of Mr. Cunningham,

Resolved, That a committee of three be appointed to draw up a more perfect system of laws, regulating the duties of Justices of the Peace and Constables of this State; and when the same shall be concurred in, by each branch of the General Assembly, such laws shall be printed in pamphlet form, and sold in each county to individuals who may wish to purchase the same.

Ordered, That Messrs. Cunningham, Fithian and Elliott, be that committee.

Mr. Thomas moved a re-consideration of the vote taken upon the resolution, instructing the committee on the Judiciary to enquire into the propriety of compensating certain witnesses &c., in the case of the People, *ex relation* of Wright, vs. Josiah Lamborn, in the Supreme Court at its present session, taken some days since;

Which was not agreed to.—yeas 13 —nays 37.

The yeas and nays being called for by two members:

Those voting in the affirmative, are,

Messrs. Able, Brown, Cloud, Gordon, Hackelton, Henry, Lincoln, Nunnally, Stuart, Thomas, Tunnel, Vandevanter, and Wyatt—13.

Those voting in the negative are,

Messrs. Anderson, Blackwell, Blockburger, Bowyer, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Cunningham, Dawson, Dubois, Dunn, Dougherty, Elliott, Ficklin, Fithian, Frazer, Gregory, Hamlin, Hampton, Harreld, Harris, Hughes, Hunt, Link, McHenry, McGahey, Manly, Moore, Oliver, Outhouse, Owen, Ross, Rowan, Whiteside, Webb, Wren and Mr. Speaker—37.

Mr. McHenry, in pursuance of previous notice, asked and obtained leave to introduce a bill, entitled

“An act to authorize William and Weed, to erect a ferry on the Little Wabash.”

Which was read the first time, and,

Ordered to a second reading.

Mr. Rowan, gave notice that on Monday next, or some day thereafter, he should ask leave to introduce a bill, entitled

“An act to authorize Alexander Kirkpatrick to build a toll-bridge across the Saline creek at Equality.”

Mr. Manly, gave notice that on Monday next, or some day thereafter, he should ask leave to introduce a bill, entitled

“An act, to amend an act, for the organization and government of the militia of this State, passed March 2d, 1833.”

The Engrossed bill from the Senate, entitled

“An act for the benefit of Daniel Curtin.”

Was read the third time and passed.

Ordered, That the title of the bill be as aforesaid, and that the Clerk inform the Senate thereof.

The Engrossed bill, entitled “An act, to amend an act, to establish a state road from Hillsboro’ to Alton,”

Was read the third time and passed.

Ordered, That the title of the bill be as aforesaid, and that the Clerk inform the Senate thereof, and ask their concurrence therein.

The Engrossed bill, entitled "An act for the benefit of the town of Pittsfield in the county of Pike,"

Was read the third time and passed.

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence therein.

The Engrossed bill from the Senate, entitled

"An act to amend an act, entitled an act to provide for the election of Justices of the Peace and Constables,"

Was read the second time, and,

Ordered, to a third reading.

The Engrossed bill from the Senate, entitled

"An act to establish an uniform mode of holding circuit courts,"

Was read the second time, and

On motion of Mr. Stuart,

Referred to a select committee of seven.

Ordered, That Messrs. Stuart, Hackelton, Blockburger, Dougherty, Harris, Nunnally and Trower, be that committee.

On motion of Mr. Stuart,

The committee of the Whole House was discharged from the further consideration of the resolution and amendments, relative to the creation of a new circuit, and the Judiciary system; and the same was referred to the same select committee to which was referred the Engrossed bill from the Senate on that subject.

And then the House adjourned until 2 o'clock, *P. M.*

2 o'clock, *P. M.*

House met pursuant to adjournment.

On motion of Mr. Owen,

Resolved, That Hans Patton, be recommended to the Senate, as a suitable person to fill the office of County Surveyor, in and for the county of Adams.

On motion of Mr. Hackelton,

The House again resolved itself into a committee of the Whole House, to take into consideration, the bill, entitled

“An Act concerning Public Roads;”

Mr. Cloud in the Chair;

And after some time spent therein,

Mr. Speaker resumed the Chair; and

Mr. Cloud reported, That the committee of the Whole House had, according to order, said bill under consideration, had made further progress therein, and directed him to ask leave to sit again on said bill.

On the question,

Shall the committee of the Whole House, have leave to sit again on said bill?

It was decided in the affirmative.

And then the House adjourned.

WEDNESDAY, December 24, 1834.

House met pursuant to adjournment.

Mr. Cloud, from the committee on Enrolled bills, reported as correctly enrolled,

“The resolutions on the subject of the Chicago and Vincennes road.”

Mr. McHenry, from the select committee, to which was referred the bill, entitled

“An act, to limit the jurisdiction of Justices of the Peace,”

Reported back to the House a substitute;

Which was read.

Mr. Link moved to amend the proposed substitute reported by the committee, by adding in the 8th line after the word “payable” the following, viz:

“Or in which the defendant may be found at the commencement of the suit: *Provided*, That in case of the absence of the Justice or Justices of the Peace, of any precinct in which the defendant or defendants reside, or where the contract was entered into or made payable; then and in that case, the plaintiff

may go before the nearest Justice of the Peace in any other precinct to commence suit.

SEC. 2. Nothing herein contained, shall prevent Justices of the Peace from entertaining jurisdiction in all cases of the removal of trials from before one Justice of the Peace to another, according to the provisions of the 25th section of "an act, concerning Justices of the Peace and Constables," approved February 3d 1827; and in cases of attachment and *capias*, according to the provisions of the laws now or that may be in force."

Mr. Henry moved to lay the bill, report, and proposed amendment to the report, on the table until the 4th day of July next.

Mr. Rowan moved to amend the motion, so as to make it a motion to refer the bill, report, and proposed amendment thereto, to a select committee;

Which was agreed to.

Ordered, That Messrs. Rowan, McHenry and Lincoln, be that committee.

Message from the Senate by Mr. White, their Secretary.

"Mr. SPEAKER—I am directed by the Senate to inform the House of Representatives that they have concurred with them in the passage of the bill, entitled

"An act to repeal an act, for the relief of the securities of Henry Bowyer, late Sheriff of Gallatin county, approved Feb. 26th, 1833."

They have also concurred with them in the passage of the bill, entitled

"An act, providing for the sale of the fractional sixteenth section in township six north, range twelve west, and such other lands as have been selected in lieu of the sixteenth sections in the fractional townships upon the *Mississippi* and *Illinois* rivers in *Greene* county," as amended by them, in which they ask the concurrence of the House of Representatives.

They have confirmed the nomination made by the House of Representatives, of Hans Patton for the office of County Surveyor, for the county of Adams."

And then he withdrew.

Mr. Ross, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill, entitled

"An act to authorize the County Commissioners of Pike county, to sell certain property therein named;"

Which was read the first time; and

Ordered to a second reading.

Mr. McHenry, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill, entitled

"An act to amend an act, entitled an act, concerning Public Roads;"

Which was read the first time, and,

Ordered to a second reading.

Mr. Anderson, gave notice that on Monday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act, declaring Big Muddy, a navigable stream."

Mr. Speaker laid before the House a communication from the Auditor of Public Accounts, relative to the rents of the Gallatin, Ohio and Vermilion Salines;

Which was read; and,

On motion of Mr. Stuart,

Referred to the committee on Salines.

Mr. Owen, agreeably to previous notice, asked and obtained leave to introduce a bill, entitled

"An act, supplementary to an act, concerning Sheriffs and Coroners;"

Which was read the first time, and

Ordered to a second reading.

On motion of Mr. Stuart,

The bill, entitled "An act, concerning Estrays,"

Was taken up; and,

On motion of Mr. Thomas,

Said bill was referred to the committee of the Whole House, and made the order of the day for Monday next.

On motion of Mr. Ficklin,

Resolved, That a committee be appointed to enquire into the expediency of drafting resolutions, instructing our Senators, and requesting our Representatives in Congress, to oppose any recognition on the part of Congress, of the claims of Michigan and the North Western Territories, to any portion of the Territory belonging to the State of Illinois.

Ordered, That Messrs. Ficklin, Stuart and Thomas, be that committee.

Mr. Frazer, from the select committee, to which was referred the resolution & proposed amendments, relative to the improvement of the road leading from Louisville Ky. via Vincennes, to St. Louis; and the establishment of certain mail routes, reported the following resolutions,

Which were read and adopted; viz:

Resolved by the General Assembly of the State of Illinois, That our Senators in Congress be, and they are hereby instructed, and our Representatives requested to use their best exertions to procure the passage of a law by Congress, granting an appropriation of land, scrip, or money, to be applied to the improvement of so much of the road leading from Louisville, Ky. via Vincennes Indiana, to St. Louis in Missouri, as is located within this State.

Resolved, That they use their best exertions to procure the establishment of certain mail routes hereinafter specified, viz:

From Salem, Marion county, to Mount Vernon in Jefferson county.

From Bloomington in McLean county, to Springfield in Sangamon county.

From Mt. Carmel in Wabash county, to Maysville in Clay county.

From Pittsfield in Pike county, to Rushville in Schuyler county,

Resolved, That His Excellency Governor Duncan, be requested to forward to each of our members in Congress, a copy of these resolutions.

Ordered, That the Clerk inform the Senate thereof, and ask their concurrence therein.

On motion of Mr. Moore,

Leave of absence was granted to Mr. Outhouse, for five days.

A Message from the Governor by A. P. Field, Esq. Secretary of State.

Mr. SPEAKER,—I am directed by the Governor to lay before the House a written communication.

And then he withdrew.

Mr. Speaker laid before the House a communication from the Commissioner on the part of the State of Illinois, for the improvement of the Great Wabash river, accompanied by the report of the Engineer of said work.

The communication was then read; and,

On motion of Mr. Dubois,

The reading of the report was dispensed with, and said communication and report, were

Referred to the committee on Internal Improvements.

On motion of Mr. Hackelton,

The petition of sundry citizens of Fulton county, some days since laid upon the table,

Was taken up, and

Referred to a select committee.

Ordered, That Messrs. Hackelton, Oliver and Frazer, be that committee.

The communication this day received from the Governor,

Was read and is as follows, viz:

EXECUTIVE DEPARTMENT, }
Vandalia, December 24, 1834. }

To the Hon. the SPEAKER of the House of Representatives:

SIR—I beg leave to inform the House of Representatives, that vacancies have occurred in the counties of Schuyler and Jo Daviess, in the office of County Surveyor.

I have the honor to be

Sir, your ob't. serv't.

JOSEPH DUNCAN.

On motion of Mr. Hamlin,

Said communication was laid upon the table.

The resolutions from the Senate, relative to the canal lands, Were taken up and read; and,

On motion of Mr. Thomas,

Referred to the committee of the Whole House, and made the order of the day for Tuesday next.

The amendments of the Senate to the preamble and resolution of the House of Representatives, relative to the establishment of ports of Entry,

Were read and concurred in.

Ordered, That the Clerk inform the Senate thereof.

The Engrossed bill from the Senate, entitled

“An act to permanently establish the road leading from Vandalia to Shelbyville, as far as the county line of Fayette county,”

Was read the third time as amended by the House, and passed as amended.

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence therein.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

Mr. Nunnally from the select committee to which was referred the petition of sundry citizens of Edgar county, praying the establishment of a certain state road, reported a bill entitled

"An act declaring the road leading from Paris, in Edgar county to the state line, in a direction to Terre Haute, in Indiana a state road;"

Was read the first time, and

Ordered to a second reading.

On motion of Mr. Hamlin,

Resolved, That Charles R. Bennet, be nominated to the Senate as a suitable person to fill the office of County Surveyor, of the county of Jo-Daviess,

Ordered, That the Clerk inform the Senate thereof.

Mr. Moore, in pursuance of previous notice, asked and obtained leave to introduce a bill, entitled

"An act to amend an act regulating enclosures;"

Which was read the first time, and,

Ordered to a second reading.

Mr. McHenry, in pursuance of previous notice, asked and obtained leave to introduce a bill, entitled

"An act to change the number of petitioners necessary to obtain a sale of School Lands;"

Which was read the first time; and

Ordered to a second reading.

On motion of Mr. Vanpevanter,

Resolved, That Samuel McHattan be nominated to the Senate as a suitable person for County Surveyor for Schuyler county;"

Ordered, That the Clerk inform the Senate thereof.

The engrossed bill from the Senate, entitled,

"An act, to amend an act, entitled an act, to provide for the election of Justices of the Peace and Constables;"

Was read the third time and passed.

Ordered, That the title of the bill be as aforesaid, and that the Clerk inform the Senate thereof.

The bill entitled,

"An act, to amend an act, entitled an act relative to promissory notes, bonds, due-bills, and other instruments in writing, and making them assignable; approved January 3, 1827;"

Was read the second time; and

On motion of Mr. Thomas,
 Referred to the committee on the Judiciary,
 The bill entitled, "An act to authorize Willman and Weed to
 establish a Ferry on the Little Wabash river,"
 Was read the second time; and,
Ordered to be engrossed for a third reading.
 The bill entitled,
 "An act to remove the seat of justice of Clark county;"
 Was read the second time; and,
Ordered to be engrossed, for a third reading.
 The bill entitled
 "An act to regulate the mode of granting license to Clock-
 Pedlars;"

Was read the second time, and
 On motion of Mr. Ficklin
 Referred to the committee on the Judiciary.
 On motion of Mr. Hamlin,
 The House resolved itself into a committee of the Whole
 House to take into consideration the bill entitled,
 "An act, concerning public roads,"
 Mr. Cloud in the chair; and after some time spent therein,
 Mr. Speaker resumed the chair, and
 Mr. Cloud reported, That the committee of the Whole
 House had, according to order, said bill under consideration,
 had made sundry amendments thereto, in which they ask the
 concurrence of the house,

On motion of Mr. Cloud,
 Said bill with the proposed amendments were,
 Referred to a select committee of eleven.

Ordered, That Messrs, Cloud, Dunn, Ross, Hamlin, Hunt,
 Hughes, Whiteside, Owen, Gregory, Cunningham, and Elliott,
 be that Committee.

Mr. Dunn moved that the House adjourn until Friday morn-
 ing 9 o'clock.—yeas 36, nays 11.

The yeas and nays being called for by two members:

Those voting in the affirmative, are,

Messrs. Able, Anderson, Blackwell, Butler, Carpenter of San-
 gamon, Cloud, Dawson, Dougherty, Dunn, Elliott, Ficklin, Fi-
 thian, Frazer, Gordon, Hackelton, Hamlin Hampton, Harreld,
 Harris, Henry, Hughes, Hunter, Link, McHenry, McGahey,
 Manly, Nunnally, Oliver, Ross, Rowan, Stuart, Tunnel, Van-
 devanter, Whiteside, Wren and Mr. Speaker—36.

Those voting in the negative, are,
Messrs. Blockburger, Bowyer, Brown, Carpenter of Hamilton, Cunningham, Dubois, Gregory, Lincoln, Moore, Owen, and Thomas—11.

So the House adjourned until Friday morning 9 o'clock.

FRIDAY, *December 26, 1834.*

House met pursuant to adjournment.

On motion,

The *House* adjourned until 10 o'clock, *A. M.*

10 o'clock, *A. M.*

House met pursuant to adjournment.

A message from the Senate by Mr. White, their Secretary.

"MR. SPEAKER—I am directed to inform the House of Representatives that the Senate have passed bills of the following titles, viz.

"An act to repeal parts of an act, entitled "An act to amend the acts concerning Justices of the peace and constables."

"An act to amend an act, directing the location of a state road, from Carmi in White county, to the county road leading from Palestine to Heath's Mill in Lawrence county;"

"An act to amend an act, for the limitation of actions, and for avoiding vexatious law suits," approved February the 10th, 1827;" in the passage of which they ask the concurrence of the House of Representatives."

They have concurred with the house of Representatives, in the passage of a bill entitled,

"An act to authorize Samuel Musick to build a toll bridge across Salt Creek in Sangamon county;"

And then he withdrew.

The bill, entitled "An act, providing for a sale of the fractional sixteenth section, in township six north, range twelve west, and such other lands as have been selected in lieu of the 16th sections in the fractional townships upon the Mississippi and Illinois rivers,"

Was read the third time as amended by the Senate; and,

On motion of Mr. Gregory,

Said bill was referred to a select committee.

Ordered, That Messrs. Gregory, Tunnel and Thompson, be that committee.

A message from the Council of Revision, by Mr. Brown their Secretary.

"Mr. SPEAKER—The Council of Revision, have approved bills of the following titles, viz:

"An act, for the relief of Douglass Merrill and William Gasaway."

"An act, forming an additional Justice's district in the county of Sangamon, including the town of Athens."

And then he withdrew.

On motion of Mr. Manly,

The Engrossed bill, entitled "An act, to remove the seat of justice of Clark county," was

Referred to a select committee.

Ordered, That Messrs. Manly, Nunnally and Moore, be that committee.

The Engrossed bill, entitled "An act to authorize Wilman and Weed, to erect a ferry on the Little Wabash."

Was read the third time and passed.

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence therein.

The bill, entitled "An act, declaring the road leading from Paris in Edgar county, to the State line, in a direction towards Terre-Haute in Indiana, a State road,"

Was read the second time; and

Ordered to be engrossed, for a third reading.

The bill, entitled "An act, to change the number of petitioners necessary to obtain a sale of School lands,"

Was read the second time, and,

Ordered to be engrossed for a third reading.

The bill, entitled "An act, to amend an act, regulating Enclosures,"

Was read the second time, and,

On motion of Mr. Hackelton,

Referred to a select committee.

Ordered, That Messrs. Hackelton, Moore and Wren, be that committee.

The bill, entitled "An act supplementary to an act, concerning Sheriffs and Coroners,"

Was read the second time.

Mr. Whiteside moved to fill the blank in the first section with "25."

Mr. Wyatt moved to refer the bill to a select committee;

Which was agreed to.

Ordered, That Messrs. Wyatt, Harris and Owen, be that committee.

The bill, entitled "An act, to amend an act, entitled an act, concerning Public Roads,"

Was read the second time; and,

On motion of Mr. Dawson,

Referred to a select committee.

Ordered, That Messrs. Dawson, Frazer and Hamlin, be that committee.

The bill, entitled "An act, to authorize the county commissioners of Pike county, to sell certain property therein named,"

Was read the second time; and,

On motion of Mr. Thomas,

Referred to the committee on the Judiciary.

Mr. McGahey, from the select committee, to which was referred the bill, entitled

"An act to amend an act, relative to the improvement of the Great Wabash river, approved Feb. 12th 1833;"

Reported the same back to the House; without amendment; and,

On motion of Mr. Ficklin,

Said bill was re-committed to a select committee.

Ordered, That Messrs. Ficklin, McGahey and Hunt, be that committee.

The Engrossed bill from the Senate, entitled

"An act, to repeal parts of an act, entitled an act, to amend the acts, concerning Justices of the Peace and Constables,"

Was read the first time; and,

Ordered to a second reading.

The Engrossed bill from the Senate, entitled

"An act, to amend an act, for the limitation of actions, and

for avoiding vexatious law-suits, approved 10th Feb. 1827,"

Was read the first time, and,

Ordered, to a second reading.

The bill from the Senate, entitled

"An act, to amend an act, directing the location of a State road from Carmi in White county, to the county road leading from Palestine to Heath's mill in Lawrence county,"

Was read the first time; and,

Ordered, to a second reading.

On motion of Mr. Dubois,

The rule of the House was dispensed with, and said bill now read a second time by its title; and,

On the further motion of Mr. Dubois,

Referred to a select committee.

Ordered, That Messrs. Dubois, Clark and Hunt, be that committee.

Mr. Bowyer proposed for adoption the following resolution; viz:

Resolved by the Senate and House of Representatives, That the two Houses will meet in the Representative Hall, on the 29th day of this inst. at 2 o'clock P. M. and proceed to the election of Auditor of Public Accounts, and State Treasurer.

On motion of Mr. Rowan,

Said resolution was laid on the table.

Mr. Hughes, gave notice that on Monday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act, to amend an act, entitled an act, prescribing the mode of summoning Grand and Petit jurors, and defining their qualifications and duties, approved Feb. 7th 1827."

Mr. Webb, gave notice that on Monday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act, to prevent trespasses on Seminary, School, and other lands."

On motion of Mr. Wyatt,

Resolved, That the committee on the Judiciary, be instructed to enquire into the expediency of so changing the law in criminal cases, so as to make the prosecutor liable for costs which may accrue on any suit brought in the name of the State, and shall not be sustained, either in the Supreme or Circuit court, or before a Justice of the Peace."

It was decided in the affirmative. yeas 28—nays 22.

The yeas and nays being called for by two members;

Those who voted in the affirmative, are

Messrs. Able, Anderson, Blockburger, Bowyer, Brown, Butler, Carpenter of Sangamon, Cloud, Cunningham, Dawson, Elliott, Frazer, Gordon, Hackelton, Hampton, Harris, Hughes, Hunt, Hunter, McHenry, Nunnally, Ross, Thomas, Vandevanter, Webb, Whiteside, Wyatt and Mr. Speaker—28.

Those who voted in the negative, are

Messrs. Blackwell, Carpenter of Hamilton, Clark, Dougherty, Dubois, Ficklin, Fithian, Gregory, Hamlin, Harreld, Henry, Lincoln, Link, McGahey, Moore, Oliver, Owen, Rowan, Stuart, Thompson, Tunnel and Wren—22.

Mr. Cloud, from the select committee, to which was referred the bill, entitled

“An act, concerning Public Roads,” and the report of the committee of the Whole House,

Reported the same back to the House with an amendment to the report of the committee of the Whole House;

Which was read and concurred in.

On the question,

Will the House concur in the report of the committee of the Whole House, as amended by the select committee?

It was decided in the affirmative.

Ordered to be engrossed as amended, for a third reading.

On motion of Mr. Dawson,

Resolved, That the committee on Finance, be instructed to enquire into the expediency of so amending the present revenue law, as to give the several Sheriffs of this State, until the June term of each county court, to settle with said court.

On motion of Mr. Frazer,

Resolved, That the committee on the Judiciary, be instructed to enquire into the expediency of making a breach of trust a penitentiary offence, and that they report by bill or otherwise.

Mr. Wren, agreeably to previous notice, asked and obtained leave to introduce a bill, entitled

“An act, making an appropriation to the county of Franklin,”

Which was read the first time, and

Ordered to a second reading.

Mr. Wyatt moved that the rule of the House be dispensed with, and said bill now read a second time by its title;

Which was not agreed to.

On motion of Mr. Moore,

Resolved, That the committee on Education, be instructed to enquire into the expediency of repealing so much of the law

regulating the sale of Seminary lands, as grants pre-emption rights on said lands.

And then the House adjourned until 2 o'clock, *P. M.*

2 o'clock, *P. M.*

House met pursuant to adjournment.

On motion of Mr. Blockburger,

Resolved, That the committee on Finance, be instructed to enquire into the expediency of passing a law to require the commissioners of the school fund, to draw for and receive the whole amount of the School Fund belonging to this State, now in deposite in the Branch Bank of the United States at St. Louis, and forthwith deposite the same in the Treasury of this State, and that the same fund draw six per centum per annum; and that they report by bill or otherwise.

On motion of Mr. Gregory,

The rule of the House was dispensed with, and the bill, entitled

"An act to amend an act, for the limitation of actions, and for avoiding vexatious law suits," approved February the 10th, 1827," was read the second time by its title; and,

On the further motion of Mr. Gregory,

Said bill was referred to a committee of the Whole House.

On motion of Mr. Ficklin,

Resolved by the House of Representatives, That the committee on the Judiciary, be required to enquire into the expediency of so amending the law regulating Mills and Millers, approved Feb. 9th 1827, as to give Justices of the Peace jurisdiction for penalties accruing under said law.

On motion of Mr. Hackelton,

The House now resolved itself into a committee of the Whole House, to take into consideration the bill, entitled

"An act, to amend an act, for the limitation of actions, and for avoiding vexatious law-suits, approved 10th Feb. 1827."

Mr. Gregory in the Chair; and after some time spent therein,

Mr. Speaker resumed the Chair, and

Mr. Gregory reported, That the committee of the Whole House had, according to order, said bill under consideration, had made some progress therein, and had directed him to ask leave to sit again.

On the question,

Shall the committee have leave to sit again?

It was decided in the affirmative.

Mr. Rowan moved that the House adjourn;

Which was not agreed to.

Mr. Frazer, proposed for adoption the following resolution, viz:

Resolved, That the committee on the Judiciary, be instructed to enquire into the expediency of exempting a few of the *Standard Books* of Attorneys at Law and Physicians, from execution; and also the Holy Scriptures, and necessary School Books, and that they report by bill or otherwise.

Mr. Dubois moved to amend said resolution, by adding "and also farmers utensils."

Mr. Gordon moved to amend the amendment, by adding "and the tools required by mechanics in the prosecution of their avocations."

Mr. Tunnel moved to lay said resolution and proposed amendments on the table until the 4th day of July next.

Mr. Gordon moved that the House adjourn.

Which was not agreed to.

On the question,

Will the House lay said resolution and proposed amendments on the table until the 4th day of July next?

It was decided in the affirmative. yeas 30. nays 19.

The yeas and nays being called for by two members:

Those voting in the affirmative, are,

Messrs. Able, Blackwell, Brown, Butler, Clark, Dawson, Dougherty, Dubois, Gordon, Gregory, Hackelton, Harreld, Harris, Henry, Hughes, Hunt, Hunter, McGabey, Nunnally, Oliver, Owen, Ross, Rowan, Stuart, Thompson, Tunnel, Vandevanter, Webb, Wren and Mr. Speaker—30.

Those voting in the negative, are,

Messrs. Anderson, Blockburger, Bowyer, Carpenter of Hamilton, Carpenter of Sangamon, Cunningham, Elliott, Ficklin, Fithian, Frazer, Hamlin, Hampton, Lincoln, Link, McHenry, Manly, Moore, Thomas and Wyatt—19.

On motion of Mr. Link,

Resolved, That the committee on Internal Improvements, be required to examine into the expediency of borrowing money to commence the contemplated Illinois and Michigan Canal, or Rail-Road; and that the proceeds of the lands donated by the General Government to aid the State in completing the same, be pledged for the redemption of such money.

And then the House adjourned until to-morrow morning 9 o'clock.

SATURDAY, *December 27, 1834.*

House met pursuant to adjournment.

On motion,

The House adjourned until 10 o'clock, A. M.

10 o'clock, A. M.

House met pursuant to adjournment.

Mr. Thomas presented the petition of the heirs and legatees of Curtis Blakeman Sr. deceased, praying an act to authorize the sale of certain real estate, and the distribution of the proceeds &c.; and,

On motion of Mr. Thomas,

The reading thereof was dispensed with, and the same Referred to the committee on the Judiciary.

Mr. Blockburger presented the petition of sundry citizens of Montgomery county, praying a certain road therein named to be made a state road; and

On his motion,

The reading thereof was dispensed with, and the same Referred to the committee on Petitions.

Mr. Blockburger presented the remonstrance of sundry cit-

izens of Montgomery county, remonstrating against the prayer of the foregoing petition; and,

On his motion,

The reading thereof was dispensed with, and the same Referred to the committee on Petitions.

Mr. Elliott presented the petition of sundry citizens of Vermilion county, praying the establishment of a certain state road therein named; and,

On his motion,

The reading thereof was dispensed with, and the same Referred to a select committee.

Ordered, That Messrs. Elliott, Fithian and Nunnally, be that committee.

Mr. Brown presented the petition of sundry citizens of Tazewell county, praying the change of a part of a certain state road therein named; and,

On his motion,

The reading thereof was dispensed with, and the same Referred to the committee on Petitions.

On motion of Mr. Gordon,

Resolved, That the Auditor of Public Accounts, be requested to furnish this House with a statement of the amount of moneys drawn from the Treasury of this State, to pay clerk hire, in the Treasury Department, for the year 1834—the names of the persons employed—the length of time they were employed; and also the amount paid to each individual for his services.

Mr. McHenry, gave notice that on Monday next, or some day thereafter, he should ask leave to introduce a bill, entitled “An act, for the benefit of John Groves.”

Mr. Whiteside, from the joint committee of Finance of the two Houses, appointed to investigate the Auditor's and Treasurer's offices, made their report;

Which was read.

Mr. Whiteside, from the same committee, reported a bill, entitled

“An act, regulating the salaries of the Auditor and Treasurer;”

Which was read the first time; and

Ordered to a second reading.

On motion of Mr. Link,

The report of said committee was

Laid upon the table.

The Engrossed bill entitled,

"An act, declaring the road leading from Paris in Edgar county, to the State line in a direction towards Terre-Haute in Indiana, a State road,"

Was read the third time and passed.

Ordered, That the title of the bill be as aforesaid, and that the Clerk inform the Senate thereof, and ask their concurrence therein.

The Engrossed bill, entitled

"An act to change the number of petitioners necessary to obtain a sale of School Lands;"

Was read the third time, and

On motion of Mr. Gordon,

Referred to the committee on Education.

The Engrossed bill from the Senate, entitled,

"An act, to repeal parts of an act, entitled an act to amend the acts, concerning Justices of the Peace and Constables;"

Was read the second time; and,

On motion of Mr. Henry,

Referred to a select committee.

Ordered, That Messrs. Henry, Hampton and Link, be that committee.

The bill entitled,

"An act, making an appropriation to the county of Franklin,"

Was read the second time; and

On motion of Mr. Dubois,

Referred to a select committee.

Ordered, That Messrs. Dubois, Wren and Gordon, be that committee.

A Message from the Senate by Mr. Davis, their Assistant Secretary.

"MR. SPEAKER—I am directed to inform the House of Representatives, that the Senate have adopted the following resolution, viz:

Resolved by the Senate, (the House of Representatives concurring herein,) That the committees of the Senate and House of Representatives on Petitions, through their Chairmen, be instructed to address a letter to the Post Master General, representing to him the wants and wishes of the people of the different sections of this State in reference to mail facilities; and that they ascertain those wants and wishes from the Senators and Representatives of the different counties; in the adoption

of which, they ask the concurrence of the House of Representatives.

They have laid upon the table until the 4th of July next, the memorial from the House of Representatives, in relation to the establishment of certain mail routes.

They have concurred with the House of Representatives, in their amendment to the bill, entitled

"An act to permanently establish the road leading from Vandalia to Shelbyville, as far as the county line of Fayette county,"

They have confirmed the nominations made by the House of Representatives, of

Samuel McHatten, for County Surveyor for the county of Schuyler; and

Charles R. Bennett, for County Surveyor for Jo Daviess county.

They have concurred with the House of Representatives, in the passage of the bill, entitled

"An act to amend an act, to establish a state road from Hillsboro' to Alton."

They have passed a bill of the following title, viz:

"An act, concerning the town of Galena," in the passage of which they ask the concurrence of the House of Representatives."

And then he withdrew.

The bill from the Senate, entitled

"An act, concerning the town of Galena,"

Was read the first time, and

Ordered to a second reading.

The resolution from the Senate, having for its object the addressing of a letter to the Post Master General &c. was read; and,

On motion of Mr. Thomas,

Laid upon the table until the 4th day of July next.

Ordered, That the Clerk inform the Senate thereof.

The Engrossed bill, entitled

"An Act concerning Public Roads;"

Was read the third time; and,

On the question,

Shall said bill now pass?

It was decided in the affirmative. yeas 40—nays 10.

The yeas and nays being called for by two members;

Those voting in the affirmative, are,

Messrs. Able, Blackwell, Blockburger, Bowyer, Brown, Butler, Cloud, Cunningham, Dawson, Dougherty, Dubois, Elliott, Ficklin, Fithian, Frazer, Gordon, Hackelton, Hamlin, Hampton, Harreld, Harris, Hughes, Hunt, Lincoln, Link, McHenry, McGahey, Moore, Nunnally, Oliver, Owen, Ross, Thomas, Thompson, Trower, Tunnel, Vandevanter, Webb, Whiteside and Mr. Speaker—40.

Those voting in the negative are,

Messrs. Anderson, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Henry, Hunter, Rowan, Stuart, Wren and Wyatt—10.

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence therein.

And then the House adjourned until 2 o'clock, *P. M.*

2 o'clock, P. M.

House met pursuant to adjournment.

On motion of Mr. Thomas,

Resolved by the Senate and House of Representatives, That a joint select committee be appointed to draft and report resolutions, instructing our Senators and requesting our Representatives in Congress, to use their best exertions to procure the enactment of a law, creating additional mail routes in this State.

Ordered, That Messrs. Thomas, Webb and Oliver, be that committee.

Ordered, That the Clerk inform the Senate thereof.

On motion of Mr. Hackelton,

The House again resolved itself into a committee of the Whole House, to take into consideration the bill, entitled

“An act, to amend an act, for the limitation of actions, and for avoiding vexatious law-suits, approved 10th Feb. 1827.”

Mr. Gregory in the Chair; and after some time spent therein,

Mr. Speaker resumed the Chair, and

Mr. Gregory reported, That the committee of the Whole

House had, according to order, said bill under consideration, and had directed him to report the same back to the House without amendment. And,

On motion of *Mr. Webb*,

Referred to the committee on the Judiciary.

Mr. Gregory, from the select committee, to which was referred

The bill, entitled "An act, providing for a sale of the fractional sixteenth section, in township six north, range twelve west, and such other lands as have been selected in lieu of the 16th sections in the fractional townships upon the Mississippi and Illinois rivers in Greene county," with the amendments of the Senate thereto,

Reported the same back to the House without amendment; and recommended a rejection of the two first amendments of the Senate, and the adoption of the last.

On the question,

Will the House concur in the report of the committee?

It was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

Mr. Wyatt, from the select committee, to which was referred the bill, entitled

"An act, supplementary to an act, concerning Sheriffs and Coroners;"

Reported the same back to the House without amendment, and recommended a rejection of said bill.

On the question,

Shall said bill be Engrossed and read a third time?

It was decided in the negative.

Mr. Rowan, from the select committee to which was referred the bill, entitled

"An act, to limit the jurisdiction of Justices of the Peace," with the reports of select committees,

Reported back to the House a substitute;

Which was read; and,

On motion of *Mr. Thomas*,

Said bill and proposed amendments, were referred to a committee of the Whole House.

Mr. Hackelton, from the select committee to which was referred the petition of sundry citizens of Fulton county, reported a bill, entitled

"An act, to provide for the election of County Recorder and Surveyor;"

Which was read the first time, and,

Ordered to a second reading.

Mr. Gordon moved that the rule of the House be dispensed with, and said bill be now read a second time by its title;

Which was not agreed to.

Mr. Thompson, from the select committee, to which was referred the petition of sundry citizens of Randolph county, praying a removal of the seat of Justice of said county, reported a bill, entitled

“An act, permanently to locate the seat of Justice of Randolph county.”

Which was read the first time; and

Ordered to a second reading.

Mr. Henry moved a re-consideration of the vote taken some days since, upon the resolution changing the standing hour of adjournment from 10 to 9 o'clock A. M.

Which was agreed to. yeas 33—nays 13.

The yeas and nays being called for by two members:

Those voting in the affirmative, are,

Messrs. Anderson, Brown, Butler, Carpenter of Sangamon, Clark, Cloud, Dawson, Dougherty, Elliott, Fithian, Frazer, Gordon, Hackelton, Hamlin, Henry, Hughes, Hunt, Hunter, Lincoln, McHenry, Nunnally, Oliver, Owen, Ross, Stuart, Thomas, Thompson, Trower, Tunnel, Vandevanter, Webb, Whiteside and Mr. Speaker—33.

Those who voted in the negative, are

Messrs. Able, Blockburger, Bowyer, Carpenter of Hamilton, Cunningham, Ficklin, Hampton, Harreld, Harris, McGahey, Manly, Rowan, and Wyatt—13.

Mr. Hackelton moved that said resolution be laid upon the table;

Which was agreed to.

On motion of Mr. Thomas,

Resolved, That whenever the ayes and nays, are called upon any question in this House, it shall be the duty of the Clerk to state upon the Journals, by whom said call is made.

And then the House adjourned until Monday morning 10 o'clock.

MONDAY, December 29, 1834.

House met pursuant to adjournment.

Mr. Hunter, presented the petition of Mary C. Shadowen, praying a divorce &c.; and,

On his motion,

The reading thereof was dispensed with, and the same

Referred to the committee on Petitions.

Mr. Hamlin, presented the petition of sundry citizens of Ottawa, praying the lease of a certain Spring in the commons of said town;

Which was read; and,

On the further motion of Mr. Hamlin,

Referred to a select committee.

Ordered, That Messrs. Hamlin, Brown and Fithian, be that committee.

Mr. Dunn, from the committee on the Judiciary, to which was referred the bill, entitled

"An act to authorize the County Commissioners of Pike county, to sell certain property therein named;"

Reported the same back to the House without amendment.

Ordered to be engrossed, for a third reading.

Mr. Stuart, from the committee on Petitions, to which was referred the Petition and Remonstrance of sundry citizens of Montgomery and Macoupin counties, reported a bill, entitled

"An act, to change part of the State road leading from Hillsboro' to Carlinville;"

Which was read the first time, and,

Ordered to a second reading.

Mr. Dubois, from the select committee, to which was referred the bill, entitled

ul. "An act to amend an act, directing the location of a state road, from Carmi in White county, to the county road leading from Palestine to Heath's Mill in Lawrence county;"

Reported the same back to the House, without amendment.

Ordered to a third reading.

Mr. Stuart, from the select committee, to which was referred the bill, entitled

"An act, to establish an uniform mode of holding circuit courts,"

Reported the same back to the House without amendment.

Mr. Dougherty moved to amend the bill, by striking out "5" and inserting "1."

Mr. Moore moved to refer said bill to a committee of the Whole House, and make it the order of the day for Thursday next.

Mr. Ficklin moved to amend said motion of reference, so as to make it the order of the day for to-day;

Which was not agreed to.

On the question,

Will the House refer said bill to a committee of the Whole House, and make it the order of the day for Thursday next?

It was decided in the negative.

A message from the Senate by Mr. White, their Secretary.

"MR. SPEAKER—I am directed to inform the House of Representatives that the Senate have passed a bill of the following title, viz:

"An act, concerning conveyances by county commissioners;" in the passage of which they ask the concurrence of the House of Representatives."

And then he withdrew.

The question then recurring upon Mr. Dougherty's motion to strike out "5" and insert "1."

Mr. Dubois called for a division of the question.

The question being upon striking out "5,"

It was decided in the negative. yeas 23.—nays 29.

The yeas and nays being called for by Messrs. McHenry and Dougherty.

Those who voted in the affirmative, are

Messrs. Able, Anderson, Bowyer, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Dawson, Dougherty, Hackelton, Hampton, Harris, Hughes, Hunter, McHenry, Moore, Oliver, Owen, Rowan, Tunnel, Vandevanter, Whiteside, Wren and Mr. Speaker—23.

Those who voted in the negative, are,

Messrs. Blackwell, Blockburger, Brown, Clark, Cloud, Cunningham, Dubois, Dunn, Elliott, Ficklin, Fithian, Frazer, Gordon, Hamlin, Harreld, Henry, Hunt, Lincoln, Link, McGahey, Manly, Nunnally, Ross, Stuart, Thomas, Thompson, Trower, Webb and Wyatt—29.

Mr. Carpenter of Hamilton, moved to lay said bill upon the table, until the first day of June next.

Mr. Dubois moved the previous question.

On the question,

Will the House lay said bill upon the table until the first day of June next?

It was decided in the negative.

Mr. Dubois withdrew his call for the previous question.

Upon the question,

Shall said bill be read a third time?

It was decided in the affirmative. yeas 32—nays 20.

The yeas and nays being called for by Messrs. McHenry and Webb.

Those voting in the affirmative, are

Messrs. Blackwell, Blockburger, Brown, Butler, Clark, Cloud, Cunningham, Dubois, Dunn, Elliott, Ficklin, Fithian, Gordon, Hackelton, Hamlin, Harreld, Henry, Hunt, Lincoln, Link, McGahey, Manly, Nunnally, Owen, Ross, Stuart, Thomas, Thompson, Trower, Vandevanter, Webb and Wyatt—32.

Those voting in the negative, are

Messrs. Able, Anderson, Bowyer, Carpenter of Hamilton, Carpenter of Sangamon, Dawson, Dougherty, Frazer, Hampton, Harris, Hughes, Hunter, McHenry, Moore, Oliver, Rowan, Tunnel, Whiteside, Wren and Mr. Speaker—20.

Ordered to a third reading.

Mr. McHenry, in pursuance of previous notice, asked and obtained leave to introduce a bill, entitled

“An act, for the relief of John Groves.”

Which was read the first time, and

Ordered to a second reading.

Mr. Manly, from the select committee, to which was referred the bill, entitled

“An act to remove the seat of justice of Clark county;”

Reported the same back to the House without amendment.

Said bill was read the third time and passed.

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Ficklin, gave notice that on Thursday next, or some day thereafter, he should ask leave to introduce a bill, entitled

“An act, giving Justices of the Peace, jurisdiction in actions of Detinue and Replevin.”

On motion of Mr. Manly,

Resolved, That the committee on Internal Improvements, be instructed to enquire into the expediency of constructing a Rail-Road from Chicago to the west bank of the Wabash river, opposite Vincennes, by the State or otherwise.

On motion of Mr. Blockburger,

Resolved, That the committee on Propositions and Grievances, be instructed to enquire whether the law concerning marks and brands has been repealed, and if so, to report a bill to revive said law.

Mr. Frazer proposed for adoption the following resolution, viz:

Resolved, That the committee on Finance, be instructed to enquire into the expediency of the passage of a law, forbidding the circulation of Bank notes, of a denomination under five, ten or twenty dollars, within the limits of this State, and that they report by bill or otherwise.

Mr. Henry moved to lay said resolution upon the table.

Mr. Stuart moved to refer said resolution to a committee of the Whole House, and make it the order of the day for tomorrow.

Which was agreed to.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

The bill from the Senate, entitled

"An act, concerning conveyances by county commissioners,"

Was read the first time, and,

Ordered, to a second reading.

The bill for "An act, to provide for the election of County Recorders and Surveyors,"

Was read the second time.

Mr. Gordon proposed to amend the bill, by adding the following, viz:

The Judges and Clerks of such elections, shall receive for their services the same compensation that is allowed to the Judges and Clerks of general election; when,

On motion of Mr. Dunn,

The bill and proposed amendments, were referred to a select committee.

Ordered, That Messrs. Dunn, Hackelton and Outhouse, be that committee.

The bill for "An act, permanently to locate the seat of justice of Randolph county,"

Was read the second time; and,

On motion of Mr. Dunn,

Referred to a select committee of seven.

Ordered, That Messrs. Dunn, Thompson, Rowan, Nunnally, Harris, Ross and Carpenter of Sangamon, be that committee.

The bill for "An act, regulating the salaries of the Auditor and Treasurer;"

Was read the second time, and,

On motion of Mr. Gordon,

Referred to a select committee.

Ordered, That Messrs. Gordon, Butler and Able, be that committee.

The bill from the Senate, entitled

"An act, concerning the town of Galena;"

Was read the second time; and

On motion of Mr. Hamlin,

Referred to a select committee.

Ordered, That Messrs. Hamlin, Owen and Vandevanter, be that committee.

Message from the Senate by Mr. White, their Secretary.

"Mr. SPEAKER—I am directed by the Senate to inform the House of Representatives that they have laid upon the table, until the 4th day of July next, the resolution from the House of Representatives having for its object the appointment of a joint select committee, to draft and report resolutions instructing our Senators &c. to procure the enactment of a law, creating additional mail facilities.

They have receded from their two first amendments to the bill, from the House of Representatives, entitled

"An act, providing for the sale of the fractional sixteenth section, in township six north, range twelve west, and such other lands as have been selected in lieu of the sixteenth sections in the fractional townships upon the Mississippi and Illinois rivers in Greene county."

They have concurred with the House of Representatives, in the passage of the bill, entitled

"An act. for the relief of John Stockwell, Sheriff of the county of Clark; and William Worthen, Sheriff of the county of Jackson," as amended by them.

They have amended the title of said bill, so as to read

"An act, for the relief of the Sheriff of Jackson county," in which several amendments, they ask the concurrence of the House of Representatives.

They have also passed bills of the following titles, viz:

"An act, to authorize Alexander Kirkpatrick, and William Hicks, to build a toll-bridge across the Saline creek at Equality;" and,

"An act, to improve the road from Equality, by Crenshaw's works & Cypress Creek, to Shawneetown," in the passage of which they ask the concurrence of the H. of Representatives."

And then he withdrew.

On motion of Mr. Hunter,

The House now resolved itself into a committee of the Whole House, to take into consideration, the bill, entitled

"An act, to limit the jurisdiction of Justices of the Peace," with the proposed amendments thereto:

Mr. Rowan in the Chair;

And after some time spent therein,

Mr. Speaker resumed the Chair; and

Mr. Rowan reported, That the committee of the Whole House had, according to order, said bill under consideration, and directed him to report the same back to the House without amendment; and,

On motion of Mr. Stuart,

Said bill and proposed amendments, were referred to a select committee.

Ordered, That Messrs. Stuart, Rowan and Hughes, be that committee.

A Message from the Senate by Mr. White, their Secretary.

"MR. SPEAKER—I am directed to inform the House of Representatives, that the Senate have adopted the following resolution, viz:

Resolved by the Senate, (the House of Representatives concurring herein,) That on Thursday the first day of January, they will meet in the Hall of the House of Representatives, at 11 o'clock, A. M., for the purpose of electing one State Treasurer, one Auditor of Public Accounts, one Attorney General, and Judges of Probate for such counties where that office is vacated; in the adoption of which, they ask the concurrence of the House of Representatives."

And then he withdrew.

The resolution from the Senate, having for its object the

election of Auditor, Treasurer, Attorney General, and Judges of Probate, &c.; was read.

Mr. Dunn moved to amend said resolution by striking out all after the word "Resolved," and inserting

"By the House of Representatives, and Senate of the State of Illinois, That the House and Senate, meet in the Hall of the House of Representatives, on Tuesday the 30th Dec. inst. at 2 o'clock P. M. and proceed to the election of an Attorney General, a Public Printer, and Auditor of Public Accounts, and a Treasurer of the State;" and,

On motion of Mr. Lincoln,

Said resolution and proposed amendments, were laid upon the table.

On motion of Mr. Lincoln,

The House resolved itself into a committee of the Whole House, to take into consideration the bill, entitled

"An act, concerning Estrays,"

Mr. Dougherty in the Chair; and after some time spent therein,

Mr. Speaker resumed the Chair, and

Mr. Dougherty reported, That the committee of the Whole House had, according to order, said bill under consideration, had made some progress therein, and directed him to ask leave to sit again on said bill.

On the question,

Shall the committee of the Whole House, have leave to sit again on said bill?

It was decided in the affirmative.

And then the House adjourned.

TUESDAY, *December 30*, 1834.

House met pursuant to adjournment.

A message from the Senate by Mr. White, their Secretary.

"MR. SPEAKER—I am directed to inform the House of Representatives that the Senate have adopted a memorial to Congress in relation to the sixteenth sections; in the adoption of

which, they ask the concurrence of the House of Representatives."

And then he withdrew.

Mr. Brown, presented the petition of sundry citizens of McLean county, praying a change in part of a state road; and,

On his motion,

The reading thereof was dispensed with, and the same

Referred to the committee on Petitions.

Mr. Brown, presented the petition of sundry citizens of McLean county, praying the establishment of a State road from Bloomington to Chicago; and,

On his motion,

The reading thereof was dispensed with, and the same

Referred to the committee on Petitions.

Mr. Stuart, from the committee on Petitions, to which was referred the petition of Mary C. Shadowen, praying for a divorce &c.;

Reported adverse to the prayer of said petitioner;

Which was concurred in.

Mr. Dunn, from the committee on the Judiciary, to which was referred the bill, entitled

"An act to regulate the mode of granting license to Clock-Pedlars;"

Reported the same back to the House with sundry amendments.

Mr. Whiteside moved that the vote be taken on each amendment separately:

And thereupon, the vote being taken the 1st, 2d, 3d, and 5th amendments were agreed to.

And thereupon, the vote being taken upon the 4th amendment, which is as follows, viz:

"And without first having exhibited the same to the person or person he offers or attempts to sell, lease, hire or traffic the same to."

It was not agreed to,

Ordered to be engrossed, for a third reading.

Mr. Ross, from the select committee to which was referred the petition of sundry citizens of Adams county, praying a removal of the seat of justice of said county, reported a bill, entitled

"An act, to remove the seat of Justice of Adams county;"

Which was read the first time; and

Ordered to a second reading.

Mr. Dawson, from the select committee, to which was referred the bill, entitled

"An act, to amend an act, entitled an act, concerning Public Roads,"

Reported the same back to the House without amendment, and recommended a rejection of said bill.

On motion of Mr. Stuart,

Said bill was referred to a select committee.

Ordered, That Messrs. Stuart, McHenry and Anderson, be that committee.

Mr. Bowyer, from the select committee to which was referred the bill, entitled

"An act, to reduce the fees of Justices of the Peace and Constables, in certain cases,"

Reported the same back to the House with an amendment; Which was read.

Mr. Dunn moved to lay said bill with the proposed amendment, upon the table.

Mr. Gordon moved to amend said motion, so as to make it a motion to refer said bill with the proposed amendment, to the same select committee to which was referred the bill, entitled

"An act, to limit the jurisdiction of Justices of the Peace;"

Which was agreed to.

Mr. Hamlin, from the select committee, to which was referred the bill, entitled

"An act, concerning the town of Galena,"

Reported the same back to the House, without amendment.

Ordered to a third reading.

Mr. Hughes, in pursuance of previous notice, asked and obtained leave to introduce a bill, entitled

"An act, to amend an act, entitled an act, prescribing the mode of summoning Grand and Petit jurors, and defining their qualifications and duties, approved Feb. 7th 1827."

Which was read the first time, and,

Ordered to a second reading.

Mr. Link, gave notice that on Monday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act, authorizing Judges of Probate to issue writs of certiorari in criminal cases; also, writs of *ne exeat* and injunctions, in certain cases."

Mr. Speaker laid before the House a communication from

the Auditor of Public Accounts, in answer to a resolution of the House, relative to Clerk hire in the Treasury department;

Which was read; and,

On motion of Mr. Hunter,

Laid upon the table.

On motion of Mr. Carpenter of Hamilton,

Resolved by the House of Representatives, (the Senate concurring herein,) That a joint select committee of both Houses, be appointed to inquire into and ascertain, whether the Laws and Journals were printed and delivered in conformity with the joint resolution of both Houses of the last Legislature; and ascertain the different sums that have been paid out of the State Treasury to the different persons who were employed in the performance of said work.

Ordered, That Messrs. Carpenter of Hamilton, Blackwell and Fithian, be that committee.

Ordered, That the Clerk inform the Senate thereof, and ask their concurrence therein.

On motion of Mr. Frazer,

The communication this day received from the Auditor of Public Accounts, relative to the Clerk hire in the Treasury Department:

Was taken up; and,

Referred to the committee on Public Accounts and Expenditures.

Mr. Hughes, gave notice that on Friday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act, to locate and establish the several state roads therein named.

Mr. Anderson, gave notice that on Thursday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act, for the encouragement of killing wolves."

The Engrossed bill from the Senate, entitled

"An act, to establish an uniform mode of holding circuit courts,"

Was read the third time, and

On motion of Mr. Carpenter of Hamilton,

Said bill was referred to a committee of the Whole House, and made the order of the day for this evening.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

On motion of Mr. Thomas,

The House now resolved itself into a committee of the Whole House, to take into consideration the bill, entitled

"An act, to establish an uniform mode of holding circuit courts,"

Mr. Whiteside in the Chair:

And after some time spent therein,

Mr. Speaker resumed the Chair; and,

Mr. Whiteside reported, That the committee of the Whole House have, according to order, had said bill under consideration, and directed him to report the same back to the House without amendment.

Mr. Rowan moved to lay said bill upon the table;

Which was not agreed to.

On the question,

Shall said bill now pass?

It was decided in the affirmative. yeas 31—nays 23.

The yeas and nays being called for by Messrs. McHenry and Hampton.

Those voting in the affirmative, are

Messrs. Blackwell, Blockburger, Brown, Butler, Clark, Cloud, Cunningham, Dubois, Dunn, Elliott, Ficklin, Fithian, Gordon, Hackelton, Hamlin, Harreld, Henry, Hunt, Lincoln, Link, McGahey, Manly, Nunnally, Owen, Ross, Stuart, Thomas, Thompson, Trower, Webb and Wyatt—31.

Those voting in the negative, are

Messrs. Able, Anderson, Bowyer, Carpenter of Hamilton, Carpenter of Sangamon, Dawson, Dougherty, Frazer, Gregory, Hampton, Harris, Hughes, Hunter, McHenry, Moore, Oliver, Outhouse, Rowan, Tunnel, Vandevanter, Whiteside, Wren and Mr. Speaker—23.

Ordered, That the title of the bill be as aforesaid, and that the Clerk inform the Senate thereof.

And then the House adjourned.

WEDNESDAY, *December 31, 1834.*

House met pursuant to adjournment.

Mr. Gregory presented the Remonstrance of sundry citizens of Schuyler county, remonstrating against a division of said county; and,

On his motion,

The reading thereof was dispensed with, and the same
Referred to the committee on Petitions.

Mr. Moore presented the petition of sundry citizens of St. Louis, concerning the Ferry across the Mississippi river at St. Louis; and,

On his motion,

The reading thereof was dispensed with, and the same
Referred to the committee on the Judiciary.

Mr. Hamlin presented the petition of sundry citizens of Cook county, praying the passage of an act, authorizing Timothy K. Hale, to build a toll-bridge across the Little Calimic river; and,

On his motion,

The reading thereof was dispensed with, and the same
Referred to a select committee.

Ordered, That Messrs. Hamlin, Hackelton and Carpenter of Sangamon, be that committee.

A message from the Senate, by Mr. White their Secretary:

"MR. SPEAKER—I am directed to inform the *House of Representatives*, that the Senate have adopted a memorial to Congress, praying for the establishment of a Surveyor General's office for the State of Illinois; in the adoption of which, they ask the concurrence of the *House of Representatives*.

They have concurred with the *House of Representatives*, in the passage of the bill, entitled

"An act, supplemental to an act, entitled an act, relative to Wills and Testaments," as amended by them.

They have also amended the title of said bill so as to read "An act, providing for the appointment of Testamentary Guardians," in which several amendments they ask the concurrence of the *House of Representatives*.

They have concurred with the *House of Representatives* in the passage of a bill, entitled

"An act, for the benefit of the town of Pittsfield in the county of Pike," as amended by them.

They have amended the title of said bill, so as to read

"An act, concerning the town of Pittsfield and Chester," in which several amendments they ask the concurrence of the House of Representatives.

They have concurred with the House of Representatives, in the passage of a bill, entitled

"An act, declaring the road leading from Paris in Edgar county, to the State line in a direction towards Terre-Haute in Indiana, a State road," as amended by them; in which amendment, they ask the concurrence of the House of Representatives.

They have concurred with the House of Representatives, in the passage of a bill, entitled

"An act to authorize Willman and Weed to establish a Ferry on the Little Wabash river."

They have also concurred with the House of Representatives, in the adoption of the resolution having for its object the appointment of a joint select committee to enquire whether the laws and journals were printed and delivered in conformity with the joint resolution of both Houses at the last Legislature &c." and have appointed

Messrs. Snyder and Jones, the committee on their part."

And then he withdrew.

Mr. Gregory, from the committee on Education, to which was referred the bill, entitled

"An act to change the number of petitioners necessary to obtain a sale of School Lands;"

Reported the same back to the House without amendment, and recommended a rejection of said bill; and,

On motion of Mr. McHenry,

Said bill was re-committed to a select committee.

Ordered, That Messrs. McHenry, Whiteside and Trower, be that committee.

Mr. Dunn, from the select committee, to which was referred the bill, entitled

"An act, to amend an act, entitled an act for the limitation of actions, and for avoiding vexatious law-suits, approved Feb. 10, 1827;"

Reported the same with an amendment: and,

On motion of Mr. Stuart,

Said bill and proposed amendment were re-committed to a select committee.

Ordered, That Messrs. Stuart, Hughes and Thompson, be that committee.

Mr. Gordon, from the select committee, to which was referred the bill, entitled

"An act, regulating the salaries of the Auditor and Treasurer,"

Reported the same back to the House with an amendment; Which was read and concurred in.

Ordered to be engrossed as amended, for a third reading.

Mr. McHenry gave notice that on Friday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act, to regulate Mills and Millers."

Mr. Dubois, from the select committee, to which was referred the bill, entitled

"An act, making an appropriation to the county of Franklin,"

Reported the same back to the House with an amendment.

On motion of Mr. Rowan,

Said bill was laid upon the table until the 4th day of July next.

Mr. Rowan proposed for adoption the following resolution, viz:

Resolved, That the committee on Internal Improvements, be instructed to enquire into the expediency of incorporating a company to construct a well regulated McAdamized road from Shawneetown to Equality, and that they report by bill or otherwise.

Mr. Wren moved to lay said resolution upon the table until the 4th day of July next;

Which was not agreed to.

Mr. Tunnel moved to amend said resolution, by adding

"And also from Carrolton to the Illinois river at the most eligible point;"

Which was agreed to.

Mr. Wren moved further to amend said resolution by adding

"And also from Frankfort to Equality;"

Which was agreed to.

The resolution as amended, was then adopted.

Mr. Stuart proposed for adoption, the following resolution, viz:

Resolved by the House of Representatives, (the Senate concurring herein,) That a joint select committee of six from the

House, and three from the Senate be appointed to draft and report a bill, laying off the State into six Judicial Circuits, and regulating the terms of holding courts therein."

Mr. Manly moved to amend said resolution by saying "8 from the House and 4 from the Senate."

Mr. Thomas moved to amend the amendment, by adding "And fixing the salaries of the Circuit Judges;"

Which was agreed to.

The question then recurring upon the amendment proposed by Mr. Manly.

It was decided in the affirmative.

The resolution as amended, was then adopted.

Ordered. That Messrs. Stuart, Frazer, Fithian, Brown, Butler, Ross, Hughes and Thompson, be that committee on the part of the House.

Ordered. That the Clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Dunn, from the select committee, to which was referred the bill, entitled

"An act, permanently to locate the seat of Justice of Randolph county,"

Reported the same back to the House without amendment.

Ordered to be engrossed for a third-reading.

Mr. Stuart, from the select committee to which was referred the bill, entitled

"An act, to amend an act, entitled an act, concerning Public Roads,"

Reported the same back to the House with an amendment; Which was read; and concurred in.

Mr. Dawson moved to amend the bill, by adding the following section, viz:

• "No county court shall have power to grant an order to change a state road, unless notice be first given, by letting a written or printed notice at the court-house door, or published in the nearest newspaper printed to the county where the road lies that is proposed to be changed, at least two months before application is made to the county court. In no case shall the prayer of such petitioners be granted, unless the petition contains at least fifty petitioners who live immediately on such road proposed to be changed; nor in no case shall such change be effected, unless disinterested commissioners duly sworn, report favorable to such change."

Mr. Manly moved to lay said bill with the proposed amendments, upon the table until the 4th day of July next.

On motion of Mr. Blockburger,

Said bill and proposed amendments, were referred to a select committee of seven.

Ordered, That Messrs. Blockburger, McHenry, Hampton, Manly, Harris, Moore and Dawson, be that committee.

On motion of Mr. Lincoln,

The resolution from the Senate, having for its object the election of one Auditor, one Treasurer, and one Attorney General &c., some days since laid upon the table, together with the proposed amendments thereto,

Were now taken up;

Mr. Dunn withdrew his proposed amendment:

And then the resolution was adopted.

Ordered, That the Clerk inform the Senate thereof.

Mr. Ficklin, from the select committee, to which was referred the bill, entitled

"An act, to amend an act, entitled an act to extend the jurisdiction of Justices of the Peace, approved Dec. 29, 1826;"

Reported the same back to the House with sundry amendments.

Which were read and concurred in.

Mr. Gordon moved to amend the bill by adding after the word "battery," the words "or affrays;"

Which was agreed to.

Ordered to be engrossed as amended, for a third reading.

Mr. Henry, from the select committee, to which was referred the bill from the Senate, entitled

"An act, to repeal parts of an act, entitled an act, to amend the acts, concerning Justices of the Peace and Constables,"

Reported the same back to the House, without amendment, and recommended a rejection of said bill.

On motion of Mr. Thomas,

Said bill was laid upon the table until the 4th day of July next.

Mr. Wyatt, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill, entitled

"An act, for the safe keeping and management of the proceeds of Section No. Sixteen;"

Which was read the first time, and,

Ordered, to a second reading.

On motion of Mr. Link,

The rule of the House was dispensed with, and said bill now read a second time by its title, and,

On the further motion of Mr. Link,

Referred to the committee on Education.

Mr. Gregory, from the committee on Education, to which was referred so much of the Governor's message as relates to Education: also sundry resolutions on the subject of Education, reported a bill, entitled

"An act, for the distribution and application of the interest of the several school funds;"

Which was read the first time; and

Ordered to a second reading.

On motion of Mr. Dougherty,

The rule of the House was dispensed with, and said bill now read a second time by its title.

Mr. Rowan moved to lay said bill upon the table; and that 81 copies thereof be printed.

On motion of Mr. Link,

Said bill was recommitted to the committee on Education.

And then the House adjourned until 2 o'clock, *P. M.*

2 o'clock, P. M.

House met pursuant to adjournment.

The bill from the Senate, entitled

"An act, to amend an act, directing the location of a State road from Carmi in White county, to the county road leading from Palestine to Heath's mill in Lawrence county,"

"An act, concerning the town of Galena," and

"An act concerning conveyances by County Commissioners"

Were severally read the third time and passed.

Ordered, That the titles of the bills be as aforesaid, and that the Clerk inform the Senate thereof, and ask their concurrence therein.

The Engrossed bill, entitled

"An act to authorise the County Commissioners of Pike county to sell certain property therein named,"

Was read the third time, and passed

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence therein.

The Engrossed bill, entitled

"An act to regulate the mode of granting license to Clock-Pedlars;"

Was read the third time; when,

On motion of Mr. Harris,

Referred to a select committee.

Ordered, That Messrs. Harris, Hughes and Anderson, be that committee.

A Message from the Senate by Mr. White, their Secretary.

"MR. SPEAKER—I am directed to inform the House of Representatives, that the Senate have adopted the following resolution, viz:

Resolved by the Senate and House of Representatives, That a joint select committee of five of each house, one to be selected from each of the present judicial circuits, to so apportion and lay off the counties of this state, as to form six circuits, in which circuit courts shall hereafter be held, and that they report by bill or otherwise;" and have appointed Messrs. Davidson, Gatewood, Ewing, Maxwell, and Taylor the committee on their part; in the adoption of which, they ask the concurrence of the House of Representatives."

And then he withdrew.

The bill entitled,

"An act for the benefit of John Groves:"

Was read the second time; and

Ordered to be engrossed, for a third reading.

The bill entitled "an act to change part of the state road leading from Hillsboro' to Carlinville;"

Was read the second time,

Mr. Blockburger moved to amend said bill by adding the following section, viz:

"SEC. 3. *Provided*, If said road shall run through the farm of said Slayback; then in that case the said Slayback shall be permitted to turn said road around his farm, to suit his convenience: *Provided*, said road shall be on good ground, and said change be at his own expense."

Which was agreed to.

Ordered to be engrossed as amended for a third reading.

The bill entitled;

"An act, to remove the seat of Justice of Adams county;"
Was read the second time;

Mr. Gregory moved to refer said bill to the committee on petitions.

Mr. Ross moved to amend said motion so as to make it a motion to refer it to a select committee of seven. Agreed to.

Ordered, That Messrs. Ross, Gregory, Able, Hunter, Harreld, Outhouse and Carpenter of Hamilton be that committee.

Mr. Gregory presented the remonstrances of sundry citizens of Adams county remonstrating against the removal of the county seat of Adams county.

On motion of Mr. Dawson,

The reading thereof was dispensed with, and the same was referred to the same select committee of seven to which was referred the bill entitled

"An act to remove the seat of Justice of Adams county;"

The bill entitled

"An act, to amend an act, entitled an act, prescribing the mode of summoning Grand and Petit jurors, and defining their qualifications and duties, approved Feb. 7th 1827."

Was read the second time, and,

On motion of Mr. Rowan,

Referred to a select committee.

Ordered, That Messrs. Rowan, Cunningham and Webb, be that committee.

On motion of Mr. Dawson,

The House now resolved itself into a committee of the Whole House, to take into consideration, the bill, entitled

"An act concerning Estrays;"

Mr. Dougherty in the Chair;

And after some time spent therein,

Mr. Speaker resumed the Chair; and

Mr. Dougherty reported, That the committee of the Whole House had, according to order, said bill under consideration, had made some progress therein, and directed him to ask leave to sit again.

Shall the committee of the Whole House, have leave to sit again on said bill?

It was decided in the affirmative.

Mr. Hamlin, gave notice that on Friday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act to locate a state road from Peoria to Chicago on lake Michigan."

On motion of Mr. Outhouse;

Resolved, That the committee on Public Accounts and Expenditures, be authorised and required to call upon the Auditor and such other officers as may have the same in their possession for the books, papers and vouchers relative to the canal fund, and that they examine the same, and report the manner in which the same has been expended."

Mr. Trower, gave notice that on Friday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act, to establish a state road from Shelbyville in Shelby county, to Chicago on lake Michigan in Cook county."

And then the House adjourned.

THURSDAY, *January 1*, 1835.

House met pursuant to adjournment.

Message from the Senate by Mr. White, their Secretary.

"Mr. SPEAKER—I am directed by the Senate to inform the House of Representatives that they have adopted the following preamble and resolutions, viz:

WHEREAS, All that portion of the public domain lying within the limits of Shawneetown and Kaskaskia land districts, has been in market now for twenty years, and much of those lands have been sold by the Government, and the best selections have long since been made;

AND WHEREAS; That portion of the State of Illinois, was, many years ago, the only inhabited part of the State, but that since that time, emigration has advanced northward, and public attention has more than ordinarily been drawn towards the northern section of this growing State; and while this has been going on, the eyes of Congress seems to have been turned almost exclusively to the contemplation of the magic like march of that enchanting land; delighted at the progress of things there, it is not unkind or selfish, to call the attention of Congress to that old and almost forgotten germ of the State; while public works of vast magnitude and importance are progressing in other sections of the State that seem to have every fertility of soil and innumerable advantages, thus increasing the demand

for the public domain and enhancing the value of property, this section has comparatively stood still.

AND WHEREAS, The country between Shawneetown and St. Louis, and that whole section of the State, might be vastly benefitted by a donation of land to aid in the construction of a road from Shawneetown through Franklin county to St. Louis:

Therefore:—

Resolved by the General Assembly of the State of Illinois, That the Senators of this State in Congress are hereby instructed, and our Representatives requested to procure the passage of a law granting certain lands to aid in the construction of a road leading from Shawneetown through Franklin county to St. Louis.

Resolved, That by such a grant of land, many advantages would accrue to that section of country, in the increase of transportation facilities and the accession of population; and that also, it would tend to develop the resources of that region of the country, by giving life and activity to commerce and agriculture, and be the means of increasing the demand and sale of the public domain in those land districts before mentioned; in the adoption of which, they ask the concurrence of the House of Representatives.

They have also passed a bill of the following title, viz:

“An act, to authorize certain persons therein named, to erect mill dams;” in the passage of which, they ask the concurrence of the House of Representatives.”

And then he withdrew.

Mr. Hamlin, presented the petition of sundry citizens of Putnam and Peoria counties, praying the establishment of a certain State road therein named; and,

On his motion,

The reading thereof was dispensed with, and the same Referred to the committee on Petitions.

And then the House adjourned until 11 o'clock, A. M.

11 o'clock, A. M.

House met pursuant to adjournment.

The Senate, preceded by their Speaker, appeared in the Hall of the House of Representatives, in pursuance of the joint resolution to that effect, for the purpose of going into the election

of an Auditor, Treasurer, Attorney General, and Judges of Probate for the counties in which there are vacancies.

And the vote being taken for Auditor of Public Accounts, it appeared that

James T. B. Stapp, had 46 votes; John D. Whiteside, had 29 votes; William B. Archer, had 1 vote; David Crockett, had 1 vote; William H. Brown, had 1 vote; Ignatius Sprigg, had 1 vote for that office.

James T. B. Stapp, having received a majority of all the votes given, was declared by the Speaker of the House of Representatives, duly elected to that office.

Those who voted for James T. B. Stapp, are,

Messrs. Craig, Davidson, Edwards, Ewing, Jones, Lane, Mills, Mitchell, McGahey, Vance, Whiteside, Williams and Williamson, of the Senate; and,

Messrs. Anderson, Blackwell, Bowyer, Brown, Butler, Carpenter of Hamilton, Clark, Cunningham, Dunn, Elliott, Ficklin, Fithian, Frazer, Gregory, Hackelton, Hamlin, Hampton, Hunt, Lincoln, McHenry, McGahey, Manly, Nunnally, Oliver, Owen, Ross, Rowan, Stuart, Thomas, Trower, Vandevanter, Webb and Wren of the House of Representatives.

Those who voted for Mr. Whiteside, are,

Messrs. Bond, Forquer, Maxwell, Noel, Rattan, Stephenson, Snyder, Taylor and Thomas, of the Senate; and,

Messrs. Able, Blockburger, Carpenter of Sangamon, Cloud, Dawson, Dougherty, Dubois, Gordon, Harreld, Harris, Henry, Hughes, Hunter, Link, Moore, Outhouse, Thompson, Tunnel, Wyatt and Mr. Speaker of the House of Representatives.

Mr. Gatewood of the Senate, voted for Mr. Archer.

Mr. Hacker of the Senate, voted for Mr. Crockett.

Mr. Mather of the Senate, voted for Mr. Brown.

Mr. Will of the Senate, voted for Mr. Sprigg.

The vote was then taken for State Treasurer, when it appeared that

John Dement, received 66 votes; John Wash, 5 votes; Robert K. Peebles, 1 vote; William G. Flood, 2 votes; Stinson H. Anderson, 2 votes; Robert K. McLaughlin, 2 votes; Mr. Vandevanter, 1 vote; and Mr. Nunnally, 1 vote.

It appearing that John Dement received a majority of all the votes given, was declared by the Speaker of the House of Representatives, duly elected to that office.

Those who voted for John Dement, are,

Messrs. Craig, Edwards, Ewing, Forquer, Gatewood,

Hacker, Jones, Lane, Maxwell, Mills, Mitchell, McGahey, Noel, Rattan, Stephenson, Snyder, Taylor, Vance, Whiteside, Will and Williamson, of the Senate; and,

Messrs. Able, Anderson, Blackwell, Blockburger, Bowyer, Brown, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cloud, Cunningham, Dawson, Dougherty, Dunn, Elliott, Ficklin, Fithian, Gregory, Hackelton, Hamlin, Hampton, Harreld, Harris, Hunt, Hunter, Lincoln, Link, McHenry, McGahey, Manly, Moore, Oliver, Owen, Ross, Rowan, Stuart, Thomas, Thompson, Trower, Tunnel, Webb, Whiteside, Wren and Wyatt of the House of Representatives.

Mr. Bond of the Senate, and

Mr. Hughes of the House of Representatives, voted for Mr. Anderson.

Mr. Mather of the Senate, voted for Mr. Peebles.

Messrs. Thomas and Williams of the Senate, voted for Mr. Flood.

Mr. Davidson of the Senate, and

Messrs. Dubois, Gordon, Frazer, and Mr. Speaker of the House of Representatives, voted for Mr. Wash.

Messrs. Henry and Outhouse of the House of Representatives, voted for Mr. McLaughlin.

Mr. Nunnally of the House of Representatives, voted for Mr. Vandevanter; and,

Mr. Vandevanter, of the House of Representatives, voted for Mr. Nunnally.

The vote being taken for Attorney General,

Ninian W. Edwards, received 39 votes; Jesse B. Thomas, received 36 votes; Stephen R. Rowan, received 3 votes; Orlando B. Ficklin, received 1 vote; and James W. Whitney, received 1 vote for that office.

Those who voted for Mr. Edwards; are,

Messrs. Craig, Edwards, Forquer, Jones, Maxwell, Mather, Mills, Rattan, Stephenson, Snyder, Taylor, Thomas, Vance, Whiteside and Williams, of the Senate; and,

Messrs. Blockburger, Brown, Butler, Carpenter of Sangamon, Cloud, Dawson, Dubois, Gordon, Gregory, Hackelton, Harreld, Harris, Henry, Hughes, Lincoln, McHenry, Moore, Owen, Stuart, Thompson, Webb, Whiteside, Wren, and Mr. Speaker, of the House of Representatives—39.

Those who voted for Mr. Thomas, are,

Messrs. Davidson, Lane, Mitchell, McGahey, Noel, Will, and Williamson, of the Senate; and,

Messrs. Able, Anderson, Blackwell, Bowyer, Carpenter of Hamilton, Clark, Cunningham, Dougherty, Dunn, Elliott, Ficklin, Fithian, Frazer, Hamlin, Hampton, Hunt, Hunter, Link, McGahey, Manly, Nunnally, Oliver, Outhouse, Ross, Rowan, Trower, Tunnell, Vandevanter, and Wyatt, of the House of Representatives—36.

Messrs. Bond, Gatewood, and Hacker, of the Senate, voted for Mr. Rowan.

Mr. Ewing, of the Senate, voted for Mr. Ficklin.

Mr. Thomas of the House of Representatives, voted for Mr. Whitney.

No person having received a majority of all the votes given, another vote was taken, when Ninian W. Edwards received 44 votes, Jesse B. Thomas received 33 votes, Stephen R. Rowan received 1 vote, Orlando B. Ficklin received 1 vote, and John T. Stuart received 1 vote for that office.

Those who voted for Mr. Edwards are,

Messrs. Craig, Edwards, Forquer, Gatewood, Hacker, Jones, Maxwell, Mather, Mills, Rattan, Stephenson, Snyder, Taylor, Thomas, Vance, Whiteside and Williams of the Senate; and,

Messrs. Blockburger, Brown, Butler, Carpenter of Sangamon, Cloud, Dawson, Dubois, Gordon, Gregory, Hackelton, Hamlin, Harreld, Harris, Henry, Hughes, Lincoln, Link, McHenry, Moore, Owen, Ross, Stuart, Thompson, Webb, Whiteside, Wren and Mr. Speaker of the House of Representatives—44.

Those who voted for Mr. Thomas, are,

Messrs. Davidson, Lane, Mitchell, McGahey, Noel, Will and Williamson, of the Senate; and,

Messrs. Able, Anderson, Blackwell, Bowyer, Carpenter of Hamilton, Clark, Cunningham, Dougherty, Dunn, Elliott, Ficklin, Fithian, Frazer, Hampton, Hunt, Hunter, McGahey, Manly, Nunnally, Oliver, Outhouse, Rowan, Trower, Tunnel, Vandevanter, and Wyatt of the House of Representatives—33.

Mr. Bond of the Senate, voted for Mr. Rowan.

Mr. Ewing of the Senate, voted for Mr. Ficklin; and

Mr. Thomas of the House of Representatives, voted for Mr. Stuart.

Mr. Edwards, having received a majority of all the votes given, was declared by the Speaker of the House of Representatives, duly elected Attorney General for the State of Illinois.

Mr. Snyder of the Senate; and,
Mr. Wyatt of the House of Representatives, were appointed Tellers.

The two Houses then proceeded to the election of Judges of Probate, by a joint ballot, of both Houses;

When the following persons were declared duly elected by the Speaker of the House of Representatives, viz:

For the county of Fulton—*John P. Boice*.

For the county of Pike—*Merrill E. Rattan*.

The Senate then withdrew; and,

Mr. Cloud moved that the House adjourn until 2 o'clock P. M.

Which was not agreed to.

And then the House adjourned.

FRIDAY, January 2, 1834.

House met pursuant to adjournment.

Mr. Oliver presented the petition of sundry citizens of Johnson county, praying the establishment of a certain road therein named; and,

On his motion,

The reading thereof was dispensed with, and the same Referred to a select committee.

Ordered, That Messrs. *Oliver*, *Wren* and *Clark*, be that committee.

Mr. Stuart, from the committee on Petitions, to which was referred the petition of sundry citizens of *M'Lean* county, praying the location of a certain road therein named; reported a bill, for

"An act, to locate a State road from Bloomington to Chicago;"

Which was read the first time, and,

Ordered to a second reading.

Mr. Rowan, from the select committee, to which was referred the bill from the Senate, entitled

"An act, to amend an act, entitled an act, prescribing the mode of summoning Grand and Petit jurors, and defining their qualifications and duties, approved Feb. 7th 1827."

Reported the same back to the House without amendment.

Ordered to be engrossed for a third reading.

Mr. Stuart, from the select committee to which was referred the bill from the Senate, entitled

"An act, to amend an act, for the limitation of actions and for avoiding vexatious law suits, approved Feb. 10th 1827," with the amendments reported by the committee on the Judiciary,

Reported the same back to the House, without amendment, and recommended a concurrence in the report of said committee.

The amendments reported by the committee on the Judiciary, were then concurred in.

Ordered That said bill be read a third time, as amended.

The preamble and resolution from the Senate, relative to a grant of land to aid in the construction of a road from Shawneetown, via Frankfort to St. Louis,

Were read; and,

On motion of Mr. Hunter,

Referred to the committee on Internal Improvements.

The bills from the Senate, entitled

"An act, to authorize certain persons therein named, to erect mill dams,"

"An act, to authorize Alexander Kirkpatrick and William Hicks, to build a toll-bridge across the Saline creek at Equality," and,

"An act, to improve the road from Equality, by Crenshaw's works, and Cypress creek, to Shawneetown,"

Were severally read the first time; and,

Ordered to a second reading.

The amendments of the Senate, to the bill from the House of Representatives, entitled

"An act, for the relief of John Stockwell, Sheriff of the county of Clark, and William Worthen, Sheriff of the county of Jackson;"

Were read; and,

On motion of Mr. Manly,

Referred to a select committee.

Ordered, That Messrs. Manly, Harris and Harreld, be that committee.

The memorials to Congress, from the Senate, relative to the 16th sections, and the establishment of a Surveyor General's office in this State,

Were severally read and concurred in.

Ordered, That the Clerk inform the Senate thereof.

The amendments of the Senate to the bill from the House of Representatives, entitled

"An act, supplemental to an act, entitled an act, relative to Wills and Testaments,"

Were read; and,

On motion of *Mr. Dunn*,

Referred to a select committee.

Ordered, That Messrs. Dunn, Rowan and Thomas, be that committee.

The amendments of the Senate, to the bill from the House of Representatives, entitled,

"An act, for the benefit of the town of Pittsfield, in the county of Pike,"

Were read; and,

On motion of *Mr. Ross*,

Referred to a select committee.

Ordered, That Messrs. Ross, Owen and Thompson, be that committee.

The amendments of the Senate, to the bill from the House of Representatives, entitled

"An act, declaring the road leading from Paris in Edgar county, to the State line, in a direction towards Terre Haute in Indiana, a state road,"

Was read; and concurred in.

Ordered, That the Clerk inform the Senate thereof.

The resolution from the Senate relative to the appointment of a joint select committee to lay off the State into six judicial circuits,

Was read; and,

On motion of *Mr. Rowan*,

Laid upon the table.

Mr. Moore gave notice that on Monday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act, concerning County Surveyors and Clerks."

On motion of *Mr. Butler*,

Resolved, That the committee on Public Accounts and Expenditures, be instructed to enquire into the expediency of passing a law for compensating witnesses in behalf of the

People in criminal cases, where they are required to attend Court out of the county in which they reside.

The Engrossed bills, entitled

"An act, permanently to locate the seat of Justice of Randolph county,"

"An act, to amend an act, entitled an act to extend the jurisdiction of Justices of the Peace, approved Dec. 29, 1826;"

"An act, for the relief of John Groves."

"An act to change part of the state road leading from Hillsboro' to Carlinville;"

Were severally read the third time, and passed.

Ordered, That the titles of said bills be as aforesaid, and that the Clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Blackwell moved that the Engrossed bill, for

"An act, regulating the salaries of the Auditor and Treasurer," be referred to the committee on Finance;

Which was not agreed to.

Mr. Henry moved that said bill be referred to a select committee;

Which was decided in the negative; when,

On motion of Mr. Webb,

Said bill was committed to a committee of the Whole House, and made the order of the day for Monday next.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

Mr. McHenry, in pursuance of previous notice, asked and obtained leave to introduce a bill, entitled

"An act, to amend an act, regulating Mills and Millers, approved Feb. 9, 1827;"

Which was read the first time, and

Ordered to a second reading.

Mr. Anderson, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill, for

"An act, declaring Big Muddy, a navigable stream,"

Which was read the first time, and,

Ordered, to second reading.

Mr. Hamlin, from the select committee to which was referred the petition of sundry citizens of La Salle county, praying for a certain thing therein named, reported a bill, for

"An act, to authorize the county commissioners of La Salle county, to lease a certain lot of ground;"

Which was read the first time; and

Ordered to a second reading.

Mr. Gordon, from the committee on Education, reported a bill, entitled

"An act, supplemental to an act, to incorporate such persons as may associate, for the purpose of procuring and creating public libraries in this State, approved January 31st, 1823;"

Which was read the first time, and,

Ordered, to a second reading.

On motion of Mr. Dawson,

The House again resolved itself into a committee of the Whole House, to take into consideration, the bill, entitled

"An act, concerning Estrays,"

Mr. Anderson in the Chair;

And after some time spent therein,

Mr. Speaker resumed the Chair, and

Mr. Anderson reported, That the committee of the Whole House had, according to order, said bill under consideration, had made some progress therein, and directed him to ask leave to sit again on said bill;

Which was granted.

And then the House adjourned.

SATURDAY, *January 3, 1835.*

House met pursuant to adjournment.

Mr. Hamlin, presented the petition of sundry inhabitants of township 30 north, range 3 west of the third principal meridian praying for the passage of an act, authorizing them to sell the 16th section in said township; and,

On his motion,

The reading thereof was dispensed with, and the same

Referred to the committee on Education.

Mr. Butler, presented the petition of sundry citizens of *McDonough* county, praying a change in a certain State road therein named; and,

On his motion,

The reading thereof was dispensed with, and the same

Referred to the committee on Petitions.

Mr. Stuart, presented the memorial of the President and Trustees of the town of Springfield, praying an alteration in the corporate powers of said town;

The reading of which was,

On his motion,

Dispensed with, and the same

Referred to the committee on Petitions.

Mr. McGahey, presented the petition of sundry citizens of Crawford county, praying for a review of a part of the State road from Vincennes to Chicago;

The reading of which was,

On his motion,

Dispensed with, and the same

Referred to a select committee.

Ordered, That Messrs. McGahey, Elliott and Nunnally, be that committee.

A Message from the Senate by Mr. White, their Secretary.

“MR. SPEAKER—I am directed to inform the House of Representatives, that the Senate have adopted the following preamble and resolutions, viz:

WHEREAS, It has been satisfactorily represented to the present General Assembly, that on the 21st day of November 1829, Daniel Malone of Perry county, State of Illinois, employed one John Brown, now deceased, as his agent to enter for him at the Land Office at Kaskaskia in said State, the west half of the north east quarter of section numbered thirty-five, in township numbered six south, of range numbered three west of the third principal meridian; and that said Brown entered by mistake the west half of the north east quarter of section numbered thirty-five, in township numbered four south, of range numbered three west of the third principal meridian, and that the land thus entered by mistake is worthless and totally unfit for cultivation;

AND WHEREAS, The said Malone, has applied to the Register of the Land Office aforesaid to have said mistake corrected,

without success, and will suffer considerable loss without relief:

Therefore:—

Resolved by the General Assembly of the State of Illinois, That our Senators in Congress be instructed, and our Representatives requested to use their exertions to procure the passage of a law, authorizing the said Malone to relinquish to the Government the half quarter section of land thus entered by mistake, and to enter the one upon which he has made his improvement and which was intended to have been entered by his said agent as aforesaid.

Resolved, That they be further instructed and requested to procure the passage of a general law upon this subject, by which any person may be relieved under like circumstances, by making satisfactory proof by his own affidavit or otherwise, at the proper Land Office; and when such entries have been patented, that in such cases, the error may be corrected, by making the like proof to the Commissioner of the General Land Office, under such regulations and instructions as may be deemed necessary to prevent the practice of fraud; in the adoption of which, they ask the concurrence of the House of Representatives."

And then he withdrew.

Mr. Dawson, from the committee on Internal Improvements, to which was referred the preamble and resolutions from the Senate, relative to a grant of land to aid in constructing a road from Equality, via Frankfort to St. Louis,

Reported the same back to the House, without amendment.

Said preamble and resolutions were then read and concurred in.

Ordered, That the Clerk inform the Senate thereof.

Mr. Harris, from the select committee, to which was referred the bill, entitled

"An act to regulate the mode of granting license to Clock-Pedlars;"

Reported the same back to the House with an amendment; Which was read and concurred in.

Mr. Manly moved to amend the 1st section of said bill, by striking out the word "six" and inserting the word "three;"

Which was agreed to.

Mr. Manly moved further to amend the first section of said

bill, by striking out the word "fifty," and inserting the words "one hundred;"

Which was not agreed to.

Said bill as amended, was then passed.

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Stuart, from the committee on Petitions, to which was referred the petition of sundry citizens of M'Lean county, praying a change in part, of a certain State road therein named; reported a bill, entitled

"An act, to change part of the State road leading from Bloomington to Danville;"

Which was read the first time, and,

Ordered to a second reading.

Mr. Ross, from the select committee, to which was referred the bill, entitled

"An act, to remove the seat of Justice of Adams county;" and also, the Remonstrance of sundry citizens of Adams county, remonstrating against the removal of the seat of Justice of said county,

Reported the same back to the House without amendment.

Mr. Henry moved to refer said bill and remonstrance, to the committee on Petitions;

Which was not agreed to.

Mr. Henry, presented the remonstrance of sundry citizens of Adams county, remonstrating against the removal of the seat of justice of said county;

Which was read.

Mr. Stuart moved to re-commit said bill, together with the remonstrances, to the same select committee to which was referred the said bill, and who made their report this morning;

Which was not agreed to.

Ordered to be engrossed for a third reading.

On motion of Mr. Henry,

Leave was granted to him to withdraw the said remonstrance this day presented by him.

Mr. Webb gave notice that on Monday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act, to amend an act, concerning Attorneys and Counsellors at Law, approved March 1st, 1833."

Mr. Stuart, from the committee on Petitions, to which was referred the petition of sundry citizens of Tazewell county,

praying a change in part, of the State road leading from Springfield to Peoria; reported a bill, entitled

"An act, to change part of the State road leading from Springfield to Peoria;"

Which was read the first time, and,
Ordered to a second reading.

Mr. Ficklin presented the petition of sundry citizens of Wabash county, praying the passage of an act, incorporating the town of Mount Carmel in said county; and,

On his motion,

The reading thereof was dispensed with, and the same
Referred to the committee on Petitions.

Mr. Stuart, gave notice that on Monday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act, for the benefit of the Sheriff of Sangamon county."

Mr. Gordon, gave notice that on Tuesday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act to amend the militia law of this State."

Mr. Dougherty, from the select committee, to which was referred the bill, entitled

"An act, providing compensation for Grand Jurors,"

Reported the same back to the House with an amendment;
Which was not agreed to. And,

On motion of Mr. Hunt,

Said bill was re-committed to a select committee.

Ordered, That Messrs. Hunt, Dougherty and Thomas, be that committee.

Mr. Dougherty, from the select committee, to which was referred the bill, entitled

"An act, providing compensation for Grand and Petit Jurors,"

Reported back to the House a substitute.

Mr. Webb moved to refer said bill and proposed substitute, to the same select committee to which was referred the bill, entitled

"An act, providing compensation for Grand Jurors."

Mr. Dougherty moved to lay said bill and proposed substitute upon the table.

On the question, of reference to the same select committee.
It was decided in the affirmative.

Mr. Blockburger, from the select committee, to which was referred the bill, entitled

"An act, to amend an act, entitled an act concerning Public Roads," and the proposed amendments,

Reported the same back to the House without amendment, and recommended a rejection of the proposed amendments to said bill.

Mr. Wyatt moved to lay said bill and proposed amendments upon the table until the 4th day of July next.

Messrs. McHenry and Nunnally, called for the yeas and nays on said motion.

On the question,

Will the House lay said bill and proposed amendments upon the table until the 4th day of July next?

It was decided in the affirmative. yeas 25—nays 24.

Those voting in the affirmative, are

Messrs. Bowyer, Brown, Butler, Clark, Dawson, Dougherty, Ficklin, Fithian, Frazer, Gregory, Hamlin, Hampton, Harris, Henry, Hughes, Link, Nunnally, Oliver, Outhouse, Rowan, Thomas, Trower, Vandevanter, Wyatt and Mr. Speaker, (Cloud)—25.

Those voting in the negative are,

Messrs. Able, Anderson, Blockburger, Carpenter of Hamilton, Carpenter of Sangamon, Cunningham, Dubois, Dunn, Elliott, Gordon, Hackelton, Hunt, Hunter, Lincoln, McHenry, McGahey, Moore, Owen, Stuart, Thompson, Tunnel, Webb, Whiteside and Wren—24.

So said bill and proposed amendments were laid upon the table until the 4th day of July next.

Mr. Thomas proposed for adoption the following resolution, viz:

Resolved, That the committee on Propositions and Grievances, be instructed to enquire into the expediency of providing by law some mode by which the people of the various counties in this State, may be enabled to remove or permanently locate the county seats of their respective counties, without Legislative interposition; and that they report by bill or otherwise;" and,

On motion of Mr. Stuart,

Said resolution was laid upon the table.

Mr. Webb gave notice that on Monday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act, for the relief of the people of White county."

Mr. Bowyer gave notice that on Monday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act, to amend the act, requiring persons who petition the General Assembly, to give certain notice, before such petitions are finally acted on."

Mr. Wren moved that the House adjourn until 2 o'clock P. M.

Mr. Ficklin moved that the House adjourn.

Messrs. McHenry and Nunnally, called for the yeas and nays.

On the question,

Will the House now adjourn?

It was decided in the negative. yeas 10.—nays 40.

Those voting in the affirmative, are,

Messrs. Anderson, Dunn, Elliott, Ficklin, Frazer, Henry, Oliver, Trower, Webb, and Whiteside.—10.

Those who voted in the negative, are

Messrs. Able, Blockburger, Bowyer, Brown, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cunningham, Dawson, Dougherty, Dubois, Fithian, Gordon, Gregory, Hackelton, Hamlin, Hampton, Harris, Hughes, Hunt, Hunter, Lincoln, Link, McHenry, McGahey, Moore, Nunnally, Outhouse, Owen, Ross, Rowan, Stuart, Thomas, Thompson, Tunnel, Vandevanter, Wren, Wyatt and Mr. Speaker, (Cloud).—40.

The question then recurring on

Mr. Wren's motion, to adjourn until 2 o'clock, P. M.

It was decided in the negative. yeas 22.—nays 25.

The yeas and nays being called for by

Messrs. Anderson and Fithian:

Those who voted in the affirmative, are,

Messrs. Able, Blockburger, Bowyer, Butler, Carpenter of Hamilton, Clark, Cunningham, Dawson, Hamlin, Hampton, Harris, Henry, McHenry, Moore, Owen, Ross, Thompson, Tunnell, Webb, Whiteside, Wren and Mr. Speaker (Cloud).—22.

Those voting in the negative, are

Messrs. Anderson, Brown, Carpenter of Sangamon, Dubois, Dunn, Elliott, Ficklin, Fithian, Frazer, Gordon, Hackelton, Hughes, Hunt, Hunter, Lincoln, McGahey, Manly, Oliver, Outhouse, Rowan, Stuart, Thomas, Trower, Vandevanter, and Wyatt—25.

Mr. Manly moved that the House adjourn.

Mr. Thomas moved to amend the motion, so as to make it a motion to adjourn until 2 o'clock P. M.

Which was agreed to.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

On motion of Mr. Stuart,

The resolution from the Senate, having for its object the appointment of a joint select committee of five from each House, selected from each of the present judicial circuits, to apportion and lay off the counties so as to form six judicial circuits, &c.

Was taken up.

Mr. McGahey moved to strike out all after the word "Resolved," in said resolution, and insert the following, viz:

By the House of Representatives, (the Senate concurring herein,) That there be a committee appointed, consisting of two members on the part of this House from each of the present judicial circuits, and one member from each of the above mentioned circuits on the part Senate, to act in conjunction in laying off and fixing the judicial circuits of this State;

Which was agreed to.

The resolution as amended, was then concurred in.

Ordered, That Messrs. McGahey, Fithian, Frazer, Rowan, Hughes, Outhouse, Link, Stuart, Hamlin and Butler, be that committee on the part of the House.

Ordered, That the Clerk inform the Senate thereof, and ask their concurrence therein.

The Engrossed bill, entitled

"An act, to amend an act, entitled an act, prescribing the mode of summoning Grand and Petit jurors, and defining their qualifications and duties, approved Feb. 7th 1827."

Was read the third time and passed.

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence therein.

The bill from the Senate, entitled
 "An act, to improve the road from Equality, by Crenshaw's
 works, and Cypress creek, to Shawneetown,"

Was read the second time, and,

Ordered to a third reading.

The Engrossed bill from the Senate, entitled

"An act, to authorize Alexander Kirkpatrick and William
 Hick, to build a toll-bridge across the Saline creek at Equality,"

Was read the second time; and

On motion of Mr. Rowan,

Referred to a select committee.

Ordered, That Messrs. Rowan, Anderson and Able, be
 that committee.

The Engrossed bill from the Senate, entitled

"An act, to authorize certain persons therein named, to erect
 mill dams,"

Was read the second time; and,

On motion of Mr. Clark,

Referred to a select committee.

Ordered, That Messrs. Clark, Gregory and Moore, be that
 committee.

The bill entitled,

"An act, to locate a State road from Bloomington to Chi-
 cago,"

Was read the second time; and,

On motion of Mr. Blockburger,

Referred to a select committee.

Ordered, That Messrs. Blockburger, Brown and Trower,
 be that committee.

The bill, entitled

"An act, to amend an act, to regulate Mills and Millers, ap-
 proved February 9, 1827;"

Was read the second time; and,

On motion of Mr. Blackwell,

Referred to a select committee.

Ordered, That Messrs. Blackwell, McHenry and Ross, be
 that committee.

The bill, entitled

"An act, declaring Big Muddy, a navigable stream,"

Was read the second time; and,

On motion of Mr. Dunn,

Referred to a select committee.

Ordered, That Messrs. Dunn, Anderson and Bowyer be that committee

The bill, entitled

“An act to authorise the County Commissioners of La Salle county, to lease a certain lot of ground,”

Was read the second time; and,

Ordered to be engrossed, for a third reading.

The bill, entitled

“An act, supplemental to an act, to incorporate such persons as may associate, for the purpose of procuring and erecting public libraries in this State, approved January 31, 1823,”

Was read the second time.

Mr. Thomas moved to lay said bill upon the table until the 4th day of July next.

Mr. Manly moved to refer said bill to a select committee;

Which was not agreed to.

The question then recurring upon the motion of

Mr. Thomas, to lay said bill upon the table, until the 4th day of July next: when,

Mr. Gordon moved to refer said bill to a committee of the Whole House; and then,

On motion of Mr. Wyatt,

The House adjourned until Monday morning 10 o'clock.

MONDAY, January 5, 1835.

House met pursuant to adjournment.

Mr. Stuart, from the committee on Petitions, to which was referred the petition of sundry citizens of Wabash county, praying an act, to incorporate the town of Mt. Carmel in said county; reported a bill, entitled

“An act, to incorporate Mount Carmel in Wabash county,”

Which was read the first time; and

Ordered to a second reading.

Mr. Thomas, from the committee on the Judiciary, to which was referred the petition of the heirs and legatees of Curtis Blakeman Sr. deceased, praying the passage of a law, autho-

rizing the Executor of said deceased, to sell certain landed property of the estate of said deceased, and make distribution thereof, &c.; reported a bill, entitled,

"An act, for the benefit of the heirs and legatees of Curtis Blakeman, Sr., deceased;"

Which was read the first time; and,

Ordered to a second reading.

Mr. Dougherty gave notice that on Wednesday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act, for the relief of the Sheriff of Union county."

Mr. Henry presented the petition of sundry citizens of Morgan county, praying an appropriation for the improvement of the Illinois river; and,

On his motion,

The reading thereof was dispensed with, and the same

Referred to a select committee.

Ordered, That Messrs. Henry, Vandevanter and Hamlin, be that committee.

Mr. Rowan, from the select committee, to which was referred the bill, entitled

"An act, to authorize Alexander Kirkpatrick and William Hick, to build a toll bridge across the Saline creek at Equality,"

Reported the same back to the *House* with an amendment;

Which was read; and concurred in.

Mr. Wren moved to re-commit said bill to a select committee;

Which was not agreed to.

Mr. Wren moved to amend said bill, by striking out the 5th section of said bill;

Which was not agreed to.

Ordered to be engrossed as amended, for a third reading.

A message from the Senate, by Mr. Davis, their Assistant Secretary:

"MR. SPEAKER—I am directed to inform the House of Representatives, that the Senate have passed bills of the following titles, viz:

"An act to amend an act, entitled an act, to locate a State road from Quincy in Adams county, to Macomb in McDonough county, approved February 12, 1833," and,

"An act, to incorporate the Mount Carbon Coal Company;"

in the passage of which, they ask the concurrence of the House of Representatives."

They have concurred with the House of Representatives in the passage of a bill, entitled

"An act, to authorize the county commissioners of Pike county, to sell certain property therein named."

They have also concurred with the House of Representatives, in the passage of a bill, entitled

"An act to remove the seat of justice of Clark county;" as amended by them; in which amendments, they ask the concurrence of the House of Representatives."

And then he withdrew.

Mr. Ross, from the select committee, to which was referred the Engrossed bill, entitled

"An act, for the benefit of the town of Pittsfield, in the county of Pike," together with the amendment of the Senate thereto;

Reported the same back to the House without amendment.

On the question,

Will the House concur with the Senate in their amendment to the bill?

It was decided in the affirmative.

On the question,

Will the House concur with the Senate in their amendment to the title of the bill?

It was decided in the affirmative.

Ordered, That the Clerk inform the Senate thereof.

Mr. Stuart, in pursuance of previous notice, asked and obtained leave to introduce a bill, entitled

"An act, for the benefit of the Sheriff of Sangamon county;"

Which was read the first time, and

Ordered to a second reading.

On motion of Mr. Henry,

The rule of the House was dispensed with, and said bill now read a second time by its title; and,

On the further motion of Mr. Henry,

Said bill was referred to a select committee of five.

Ordered, That Messrs. Henry, Bowyer, Stuart, Blackwell and Manly, be that committee.

Mr. Thomas proposed for adoption the following preamble and resolutions, viz:

WHEREAS, The United States Bank was created for the purpose of aiding the General Government in carrying on her financial operations, and furnishing facilities to the commercial enterprise of her citizens;

AND WHEREAS, Instead of pursuing that course, by which these objects might be accomplished, this institution has sought to embarrass the whole monetary system of the nation, and for selfish purposes has spread ruin and insolvency throughout the commercial community:

By directing its whole power and influence against the General Government, and attempting to embarrass and distract its administration:

By entering the political arena, and in order to effect its end, directing a considerable portion of its means to subsidizing and corrupting the press:

By illegally and unjustifiably interfering with the redemption of stocks of the United States, by which it attempted to defeat the liquidation of the the public debt, at the period contemplated by the General Government.

By illegally seizing the dividends due to the Government upon its Bank stock, almost without a pretext, and by an unjustifiable and improper conversion of the same to its own use:

By illegally detaining the possession of the books and papers relating to the pension agencies; thereby defeating payments of pensions due to a large number of the veterans of the Revolution, who had shed their blood in the attainment of our liberties and Independence:

By refusing to submit its books and papers to the examination of a committee of Congress, expressly appointed for such purpose, agreeably to the provisions of its charter, thereby setting at defiance the will of the nation, solemnly expressed through its constituted authorities:

By greatly expanding its discounts, and when our citizens had been thus induced to overtrade, suddenly and without any sufficient cause, curtailing those discounts; thereby bringing insolvency and distress upon the commercial community, with a view of coercing a re-charter from the Congress of the United States, regardless of every consideration but its own interest:

AND WHEREAS, Such a train of abuses—violations of law, and misapplication of its powers, have not only justly destroyed the confidence of the great mass of community in its officers but demonstrated beyond doubt, that an institution with such

powers as the Bank of the United States, endangers the stability of our Republican institutions, and tends to undermine the foundations of our Government.

AND WHEREAS, our venerable Chief Magistrate has, by his fearless and patriotic exposure of the corruptions and malversations of this soulless institution, drawn down upon himself the undying enmity of its friends and advocates, in and out of power, and as a necessary consequence, is exposed to their attacks in all modes and from all quarters.

AND WHEREAS, The crisis thus presented by the affairs of the General Government, not only justifies an exercise of that right on the part of the Legislatures of the several States of the Union, which they unquestionably possess, (as immediately representing the people,) subject only to the restrictions imposed upon them by their respective constitutions, to express the sense of the people upon all great and interesting national subjects, but imperiously demands that that right be exercised, and that a decisive expression of opinion, by the several members of the national confederacy upon this and other important subjects, involving as they do, most deeply the happiness, honor and prosperity of the whole country, should be given:

Therefore:—

Be it resolved by the General Assembly of the State of Illinois, That the Bank of the United States, by its abuses of its legitimate powers—by its malconduct and assumption of powers not delegated to it, has justly forfeited the confidence of the nation transcended its chartered limits in its mode of conducting business, and therefore ought not, in any shape to be re-chartered.

Resolved, That the removal of the public deposits from the Bank of the United States, considered as well with regard to time, as the manner in which it was done, was an act done under an imperious sense of duty, called for by the occasion, and in strict accordance with constitutional rights, and therefore has our decided approbation.

Resolved, That in our opinion, the majority of the Senate of the United States, in refusing to permit the entry of the protest of the President of the United States, on its journals, in relation to a resolution passed by that body, tending to impeach him for the removal of the Public Deposites, committed an act

which, arbitrary and unjustifiable in itself, was an indignity offered to the nation in the person of her Chief Magistrate.

Resolved, That our Senators in Congress be instructed, and our Representatives requested to oppose the re-charter of the United States Bank, or the restoration of the Public Deposites to that institution.

Resolved, That while we continue to repose undiminished confidence in Andrew Jackson, President of the United States, and highly approve of the whole course of his administration, as contributing in so eminent a degree to advance the honor and prosperity of the nation, we peculiarly approve of the course pointed out by him for the action of Congress, in relation to our claims upon France—a course called for by the ungenerous and unjust conduct of the French Government, and which, characterized by moderation and forbearance, is well calculated to preserve unsullied, our National honor, and at the same time to coerce a payment of claims so justly due, but so long and so unreasonably withheld, and which by peaceful means we cannot hope to obtain.

Resolved, That our delegation in Congress, has our entire approbation, for the support given by them to the present administration of our National Government.

Resolved, That the Governor be requested to transmit a copy of the foregoing preamble and resolutions, to the President of the United States, and to each of our Senators and Representatives in Congress;”

Which were read; and,

Mr. Manly moved to lay said preamble and resolutions upon the table until the 4th day of July next.

Mr. Henry moved to refer said preamble and resolutions to a committee of the Whole House, and make it the order of the day for Saturday next.

Mr. Webb moved the previous question.

On the question,

Will the House refer said preamble and resolutions, to a committee of the Whole House, and make it the order of the day for Saturday next.

It was decided in the affirmative. yeas 33—nays 14.

Messrs. Blockburger and McHenry called for the yeas and nays.

Those who voted in the affirmative, are,

Messrs. Blackwell, Blockburger, Bowyer, Carpenter of Sangamon, Clark, Cloud, Cunningham, Dawson, Dunn,

Ficklin, Fithian, Frazer, Gordon, Gregory, Hackelton, Har-
 reld, Harris, Henry, Hunt, Hunter, Lincoln, Link, McHenry,
 McGahey, Moore, Murphy, Nunnally, Oliver, Outhouse, Ow-
 en, Rowan, Stuart, Thomas, Thompson, Trower, Tunnel,
 Vandevanter, and Mr. Speaker—38.

Those who voted in the negative, are

Messrs. Able, Anderson, Brown, Butler, Carpenter of Ham-
 ilton, Dougherty, Dubois, Elliott, Hampton, Manly, Ross,
 Webb, Whiteside and Wyatt—14.

And then the House adjourned until 2 o'clock, *P. M.*

2 o'clock, *P. M.*

House met pursuant to adjournment.

Mr. Blockburger, from the select committee, to which was re-
 ferred the bill, entitled

"An act, to locate a State road from Bloomington to Chica-
 go;"

Reported the same back to the House without amendment.

Ordered to be engrossed for a third reading.

Mr. Dawson, from the select committee, to which was referred
 the petitions of sundry citizens of Morgan county, praying the
 establishment of a State road from Jacksonville to Musick's
 bridge on Salt Creek in Sangamon county; reported a bill,
 entitled

"An act, to establish a State road from Crow's in the county
 of Morgan, by the way of Athens in Sangamon county, to Mu-
 sick's Bridge on Salt Creek;

Which was read the first time, and,

Ordered to a second reading.

On the question,

Will the House refer the bill, entitled

"An act, supplemental to an act, to incorporate such persons
 as may associate, for the purpose of procuring and erecting
 public libraries in this State, approved January-31st, 1823,"
 pending before the House at its adjournment on yesterday eve-
 ning, to a committee of the Whole House?

It was decided in the negative.

On motion of Mr. Webb,

Said bill was referred to a select committee.

Ordered, That Messrs. Webb, Moore and Whiteside, be that committee.

The resolution from the Senate, having for its object the passage of a law by Congress, authorizing a change of entries made through mistake &c.;

Was read and concurred in.

Ordered, That the Clerk inform the Senate thereof.

The bill, entitled

"An act, to remove the seat of Justice of Adams county;"

Was read the third time; and,

On motion of Mr. Ross,

Referred to a select committee.

Ordered, That Messrs. Ross, Wren and Hunter, be that committee.

On motion of Mr. Murphy,

The vote just taken upon the adoption of the resolution, from the Senate, having for its object the passage of a law by Congress, authorizing a change of entries of Congress lands made through mistake &c.;

Was re-considered; and,

On motion of Mr. Murphy,

Said resolution was referred to a select committee.

Ordered, That Messrs. Murphy, Dougherty and Oliver, be that committee.

The bill, entitled

"An act, to authorize the county commissioners of La Salle county, to lease a certain lot of ground,"

Was read the third time and passed.

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence therein.

The bill from the Senate, entitled

"An act, to improve the road from Equality, by Crenshaw's works and Cypress creek, to Shawneetown,"

Was read the third time, and passed.

Ordered, That the title of said bill be as aforesaid, and that the Clerk inform the Senate thereof.

The bill, entitled

"An act, to amend an act, for the limitation of actions, and for avoiding vexatious law suits, approved Feb. 10, 1827;"

Was read the third time as amended, and passed.

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof and ask their concurrence to the amendments of the House of Representatives therein.

The bill, entitled

"An act, to change part of the State road leading from Bloomington to Danville;"

Was read the second time; and,

Ordered to be engrossed for a third reading.

The bill, entitled

"An act, to change part of the State road leading from Springfield to Peoria;"

Was read the second time; and,

On motion of Mr. Dunn,

Referred to a select committee.

Ordered, That Messrs. Dunn, Brown and Carpenter of Sangamon, be that committee.

Mr. Moore moved that the House now resolve itself into a committee of the Whole House, to take into consideration the bill, entitled

"An act, regulating the salaries of the Auditor and Treasurer;"

Which was not agreed to. And,

On motion of Mr. Whiteside,

The committee of the Whole House was discharged from the further consideration of said bill.

Mr. Link moved that the House again resolve itself into a committee of the Whole House, to take into consideration the bill, entitled

"An act, concerning Estrays,"

Which was not agreed to.

Mr. Dunn moved that the committee of the Whole House, be discharged from the further consideration of the resolution from the Senate, relative to the Canal lands &c.;

Which was not agreed to.

Mr. Frazer moved that the House now resolve itself into a committee of the Whole House, to take into consideration, the resolution relative to Bank bills under \$5—10 and 20, &c.

Which was not agreed to.

Mr. Dunn moved to lay the bill, entitled

"An act, regulating the salaries of Auditor and Treasurer," upon the table;

Which was agreed to. yeas 32—nays 21.

The yeas and nays being called for by
Messrs. Gordon and Hughes:

Those who voted in the affirmative, are,
Messrs. Anderson, Blackwell, Blockburger, Bowyer, Brown,
Butler, Clark, Dubois, Dunn, Elliott, Frazer, Fithian, Gregory,
Hackelton, Hampton, Henry, Lincoln, Link, McHenry,
Manly, Oliver, Owen, Ross, Rowan, Stuart, Thomas, Thompson,
Trower, Vandevanter, Webb, Wren and Wyatt—32.

Those voting in the negative are,
Messrs. Able, Carpenter of Hamilton, Carpenter of Sangamon,
Cloud, Cunningham, Dawson, Dougherty, Gordon, Harreld,
Harris, Hughes, Hunt, Hunter, McGahey, Moore, Murphy,
Nunnally, Outhouse, Tunnell, Whiteside and Mr. Speaker—21.

Mr. Hughes, in pursuance of notice heretofore given, asked
and obtained leave to introduce a bill, for

“An act, to locate and establish a State road therein named;”
Which was read the first time, and,
Ordered, to second reading.

On motion of Mr. Link,

The House again resolved itself into a committee of the
Whole House, to take into consideration the bill, entitled

“An act, concerning Estrays;”

Mr. Dougherty in the Chair;

And after some time spent therein,

Mr. Speaker resumed the Chair, and

Mr. Dougherty reported, That the committee of the Whole
House had, according to order, said bill under consideration,
had made sundry amendments thereto, in which, they ask the
concurrence of the House of Representatives. When,

On motion of Mr. Dougherty,

Said bill and report of the committee of the Whole House,
were

Referred to a select committee of five.

Ordered, That Messrs. Dougherty, Stuart, Blockburger, Frazer
and Anderson, be that committee.

Mr. Stuart, proposed for adoption the following resolution,
viz:

Resolved, That the committee on Internal Improvements, be
directed to report a bill, creating a company to make a Rail-
Road, from some point on the Wabash river, to some point on
the Illinois.

Mr. Thomas moved to amend said resolution, by adding at the end thereof, the words "or the Mississippi;"

Which was not agreed to.

On the question,

Will the House adopt said resolution?

It was decided in the negative.

On motion of Mr. Dawson,

Resolved, That the committee on Finance, be instructed to inquire into the propriety of authorizing the several Sheriffs of the several counties in this State, to sell such copies of the Revised Laws of Illinois, at a less price than they are now authorized by law to sell the same, and that they report by bill or otherwise.

Mr. Trower, in pursuance of previous notice, asked and obtained leave to introduce a bill, entitled

"An act, to establish a state road from Shelbyville in Shelby county, to Chicago on lake Michigan in Cook county."

Which was read the first time, and,

Ordered, to a second reading.

On motion of Mr. Manly,

The bill, entitled

"An act to remove the seat of justice of Clark county;" together with the proposed amendments of the Senate thereto, were

Referred to a select committee.

Ordered, That Messrs. Manly, Nunnally and McGahey, be that committee.

Mr. Manly presented the Remonstrance of sundry citizens of Clark county, remonstrating against the removal of the seat of justice of said county;

The reading of which was,

On his motion,

Dispensed with, and the same

Referred to the same select committee to which was referred the bill, entitled

"An act, to remove the seat of justice of Clark county."

The bill from the Senate, entitled

"An act, to incorporate the Mount Carbon Coal Company;"

Was read the first time; and

Ordered to a second reading.

And then the House adjourned.

TUESDAY, January 6, 1835.

House met pursuant to adjournment.

Mr. Blockburger, presented the petition of sundry citizens of Montgomery county, praying a change in part, of the State road leading from Hillsboro' to Shelbyville; and,

On his motion,

The reading thereof was dispensed with, and the same Referred to a select committee.

Ordered, That Messrs. Blockburger, Trower and Hunter, be that committee.

Mr. Cloud, from the committee on Enrolled Bills, reported as correctly enrolled, bills of the following titles, viz:

"An act, to amend an act, to establish a road from Hillsboro' to Alton."

"An act, to repeal an act, for the relief of the securities of Henry Bowyer, late Sheriff of Gallatin county, approved February 26, 1833."

"An act, to authorize Samuel Musick, to build a toll bridge across Salt Creek in Sangamon county;"

"An act, providing for the sale of the fractional sixteenth section, in township six north, range twelve west, and such other lands as may be selected in lieu of the sixteenth sections in the fractional townships upon the Mississippi and Illinois rivers in Greene county."

"An act, declaring the road leading from Paris in Edgar county, to the State line, in a direction towards Terre Haute in Indiana, a state road,"

"An act, to authorize Wilman and Weed to establish a ferry on the Little Wabash river."

"An act, concerning towns of Pittsfield and Chester."

"An act, to authorize the county commissioners of Pike county, to sell certain property therein named."

"An act to establish an uniform mode of holding Circuit Courts."

"An act, for the relief of Daniel Curtin."

"An act, concerning the town of Galena."

"An act, to amend an act, directing the location of a State road from Carmi in White county, to the county road leading from Palestine to Heath's mill in Lawrence county."

"An act, to amend an act, entitled an act, to provide for the election of Justices of the Peace and Constables."

"An act concerning conveyances by County Commissioners."

"An act, to permanently establish the road leading from Vandalia to Shelbyville, as far as the county line of Fayette county."

They also report as correctly enrolled,

A memorial to Congress, relative the establishment of a Surveyor General's Office within this State: also,

A memorial relative to the sixteenth sections: also,

A preamble and resolution, in relation to pre-emption rights on Public Lands: also,

A resolution relative to the establishment of ports of entry."

Mr. Hackelton, presented the petition of sundry citizens of Schuyler county, praying the passage of a law declaring Spoon river a navigable stream; and,

On his motion,

The reading thereof was dispensed with, and the same

Referred to a select committee.

Ordered, That Messrs. Hackelton, Vandevanter and Cunningham, be that committee.

Mr. Murphy, presented the petitions of sundry citizens of Perry and Franklin counties, praying a change of the county lines between those counties; and,

On his motion,

The reading thereof was dispensed with, and the same

Referred to a select committee.

Ordered, That Messrs. Murphy, Bowyer and Anderson, be that committee.

Mr. Butler, presented the petition of sundry citizens of Warren county, praying the appointment of Ephraim Gilmore as County Surveyor of said county. Also,

The petition of sundry other citizens of said county, praying the appointment of William C. Butler to that office;

The reading whereof, was,

On his motion,

Dispensed with, and the same

Referred to the committee on Petitions.

Mr. Fithian, gave notice that on Thursday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act, changing an appropriation heretofore made to the county commissioners' court of Vermillion county, to the county commissioners' court of Champaign county."

Mr. Stuart, from the committee on Petitions, to which was referred the petitions and remonstrances of sundry citizens of Schnyler county, praying a division of said county and remonstrating against it, made the following report, viz:

"That they have examined said petitions and remonstrances, and have had with them in their investigations, the Representative from said county, and several citizens thereof, and from all these sources of information the committee find the following facts:

1st. That notice of the intended application for the division of said county, was given by publication in the Beardstown Chronicle, four weeks before the presentation of said petition.

2d. That a copy of said advertisement, was put up at the Court House, two months before the presentation of said petition.

3d. On the Petitions there were 599 names as signers of whom, 27 have signed a recantation. On the Remonstrance, there are 716 names as signers; thus showing that a majority of 144 have signed the Remonstrance.

By reference to the act entitled, "An act, requiring persons who petition the General Assembly, to give certain notices before such petitions are finally acted upon," the committee find three pre-requisites necessary, before the prayer of the petitioners can be granted.

1st. Publication for four weeks in some newspaper.

2d. The putting up the copy of the advertisement for two months on the Court House door.

3d. A signing of the petition, by a majority of the qualified voters of the county sought to be divided.

By an application of the provisions of the above recited act to the petitions now before the committee, they find that the two first pre-requisites have been complied with, but that the third has not.

Your committee, deeply impressed with the importance of preserving inviolate the principles of said act, believing that they are founded in justice, and calculated to preserve the young and growing counties of the State, from being unnecessarily curtailed to promote the interests of individuals, would recommend the rejection of the prayer of the petitioners, and pray to be discharged from the further consideration of said petitions."

Which was read; and concurred in.

Mr. Dawson, from the committee on Internal Improvements, made the following Report, viz :

The committee on Internal Improvements, to whom was referred sundry resolutions relative to the construction of a communication between Lake Michigan and the navigable waters of the Illinois river, having had the subject under consideration, respectfully ask leave to

REPORT :

No subject at the present time, occupies a greater share of public attention, than the construction of some improved communication between the Lake and the navigable waters of the Illinois river. The opening of a new and profitable market for all agricultural productions, increasing the facilities of commerce, and the necessity, on the part of the State, of *immediately* constructing some work between those points, in order to retain within its own limits, for the benefit of its own citizens, a large and important portion of trade—are considerations which have exerted an influence on the minds of all. It is now, as your committee believe, universally admitted that *some work* ought to be speedily constructed. The only questions unsettled, relate to the *kind* of communication, and the *means* by which it shall be accomplished.

As to the *kind* of communication, the question lies between a canal and a rail-road. In deciding which should have the preference, regard should be had to the situation of the country, to the kind of business to be transacted on the route, and to the cost of the work.

With regard to the situation of the country, the surveyed route, all other things being equal, is supposed to be certainly as favorable for a canal as for a rail road. But there are considerations which have induced your committee to believe that a canal on this route would be preferable. The communication is to be made between two navigable waters of great extent, and will form one link of a grand chain of communication between the East and the West, all of which is by water. It might also be remarked, that the people of the western country, for whose immediate benefit this work is intended, are already more or less accustomed to water communications, and wholly unaccustomed to rail roads.—Besides, on a canal, there never can be such a *monopoly* as must necessarily exist on a rail road.

With regard to the kind of business to be done on this route, it is evident that a large proportion of the articles to be transported on the work, will be of a heavy and bulky nature, such as agricultural productions, salt, lumber, coal, &c. In the transportation of such articles, *speed* is of but secondary importance.—Rail roads are adapted to the carriage of passengers, and to the transportation of merchandize, where much speed is required; and to countries so situated that a sufficient supply of water for navigation cannot be obtained. Canals, as

your committee believe, are much better adapted to the conveyance of all kinds of heavy articles.

It may be true that there will be much travel on this route—and the amount of travel would be about the same, whether a canal or a rail road should be constructed. But admitting that a rail road would be preferable, so far as the carriage of passengers is concerned, still it should be borne in mind that the object of this communication is not to benefit the traveling community at the expense of the substantial farming interest. A farmer may himself wish to convey the productions of his farm to market, but he could not do it with as much ease and cheapness upon a rail road as he could upon a canal. Your committee are, therefore, fully of opinion that a canal would be more beneficial to the *whole* community than a rail road.

With regard to the cost of the contemplated communication, your committee respectfully submit the following items. The various estimates of the Engineers who have surveyed the route, are as follows:

The estimate of Messrs. Post and Paul, for a canal, 40 feet wide at the top, 23 at the bottom, and 4 feet deep, to be supplied with water from the Lake, is about - - - \$700,000

Which is per mile less than - - - - - 8,000

The estimate of Mr. Bucklin for a canal, the dimensions of which do not appear in the report before your committee, to be supplied with water from the Lake, is about - - - 4,043,000

Which is per mile a little less than - - - - - 44,000

The estimate of Gen. Gratiot, for making a *steamboat* canal, with a maximum navigation of 10, and a minimum of 6 feet, to be supplied with water from the Lake, is - - - 4,299,000

Which is per mile a little less than - - - - - 47,000

Your committee here subjoin a comparative view of the cost of canals in other parts of our country.

The *Middlesex canal*, in Massachusetts, 27 miles long, 30 feet wide, and 4 feet deep, with a lockage of 136 feet, cost per mile about - - - - - 19,000

This was the first canal built in the United States.

The *Blackstone canal*, 45 miles long, from Worcester, Mass., to Providence, R. I., 30 feet wide and 4 feet deep, with 450 feet of lockage, cost per mile about - - - 13,000

The average cost of the whole amount of canal navigation owned by the State of New York, is, per mile, less than - - - 22,000

The *Hudson and Erie canal*, 363 miles long, 40 feet wide, 4 feet deep, with 679 feet of lockage, and locks 90 feet by 15, including the aqueducts, embankments, and the interest of the loans, cost per mile, - - - - - 24,869

Or, according to the estimate of Gov. Clinton, - - - 25,000

The actual cost of this canal, per mile, not including the interest on the loans, is estimated at less than - - - \$19,000

The *Hudson and Delaware canal*, 106 miles long, 36 feet wide, 4 feet deep, with 950 feet of lockage, and 103 locks, cost per mile about - - - 15,000

The *Chemung canal*, having 516 feet of lockage, and 53 locks, cost per mile, about - - - 10,000

The *Chenango canal*, 95 miles long, 44 feet wide on the surface, 28 on the base, and 4 feet deep, will cost per mile, according to the estimate of the Engineer, Mr. Jarvis, about - - - 19,000

In Pennsylvania, there are about 428 miles of canal navigation on the Delaware, Susquehanna, Juniata, and Conemaugh rivers, of which 79 miles are 40 feet wide, and 5 feet deep, locks 90 feet long, and 11 feet wide; the remainder 40 feet wide, and 4 feet deep, with locks 90 feet long, and 15 and 17 feet wide; the average cost of which, per mile, is about - - - 23,000

The *Schuylkill canal*, from Philadelphia to Port Carbon, in the coal region, 108 miles long, 63 by canal, 36 feet wide, and 45 by slack water navigation, with locks 80 feet long, and 17 wide, cost per mile, about - - - 21,000

The *Union canal*, 83 miles long, from the Schuylkill, below Reading, to Middleton, on the Susquehanna, 36 feet wide, and 4 feet deep, locks 75 feet long, and 8½ feet wide, with a tunnel 729 feet long, 18 feet wide, and 16 feet high, cost per mile, about - - - 20,000

The *Lehigh canal*, 46½ miles long, from Easton to Maunch Chunk, 60 feet wide, and 5 feet deep, with a lockage of 361 feet, and locks 85 feet long, and 22 feet wide, cost per mile, 25,000

This is said to be the most perfect canal in America.

The *Chesapeake and Delaware canal*, for sloop navigation, 14 miles long, 60 feet wide, and 10 feet deep, with locks 100 feet long, and 22 feet wide, cost per mile, about 150,000

This canal, at one place, has a deep cut 4 miles long, and 76 feet deep at the apex, being probably the deepest cut on any navigable canal in the world.

The *Welland canal*, in Upper Canada for ship navigation, 43 miles long, 56 feet wide, and 8½ feet deep, with locks 125 feet by 40, and 100 by 22 feet, cost per mile, about - - - 24,000

The *Delaware canal*, being 5 feet deep, cost per mile, about - - - 25,000

The *Chesapeake and Ohio canal*, being more than twice as wide as the Hudson and Erie, has cost per mile, as far as completed, about - - - 32,000

The *Ogeechee and Altamaha canal*, in Georgia, from Savannah to the Ogeechee and Altamaha rivers, with wooden locks, cost per mile, about - - - - - 10,000

The *Ohio State canal*, 306 miles long, from Cleaveland to Portsmouth, with 1185 feet of lockage, cost per mile about 10,000

The *Miami canal*, in Ohio, as far as completed, cost per mile, about - - - - - 12,000

With regard to a *Rail-way*, between Lake Michigan and the navigable waters of the Illinois river, Mr. Bucklin estimates that the cost would be - - - - - 1,052,488

Which is on an average, per mile, - - - - - 11,440

"The bridges and culverts," says the report, page 13, "are calculated for a double track, 30 feet in width, whenever the increase of business on the road may render an additional track necessary. In every other particular, the estimates are intended for a *single track only*."

Your committee here subjoin a statement of the actual cost of some of the rail roads in our own and other countries.

The *Quincy rail road* in Massachusetts, 3 miles long, cost per mile, about - - - - - 11,600

This is believed to be the first work of the kind constructed in the United States. It is built upon an inclined plane, from the granite quarry in Quincy to tide water. It was intended for the transportation of granite only.

The *Camden and Amboy*, the *Newcastle and Frenchtown*, and the *Albany and Schenectady* rail roads, double track, cost per mile, about - - - - - 30,000

The *Columbia rail road*, in Pennsylvania, 82 miles long, cost per mile, about - - - - - 42,000

The *Portage Rail way*, in Pennsylvania, 36 miles long, cost per mile, about - - - - - 43,000

The *Maunch Chunk Rail way*, 9 miles long, from the coal mine to the Lehigh river, single track, of wood and iron, cost per mile about - - - - - 3,050

The *Luckawaren Rail way*, 16 miles long, an ascent of 1812 feet, overcome by 8 inclined planes, cost per mile, about - - - - - 12,000

These two rail-ways are used for the conveyance of coal.

The *Baltimore and Ohio Rail road*, as far as completed, has cost per mile, over - - - - - 50,000

This rail road has iron plates upon wooden rails.

The *Ithica and Owego rail way*, of a single track, cost per mile, about - - - - - 15,000

The *Liverpool and Manchester rail road*, about 32 miles long, cost over one million of pounds sterling, which per mile is about - - - - - 156,000

The annual expenditures for repairs upon this road, is per
 mile, about - - - - - 2,600

From the foregoing statements, it appears that the estimate of Mr. Bucklin for the cost of a *canal*, is higher than the actual cost of any other canal in the country, except the Chesapeake and Delaware, which is a ship canal, and was, in its construction, attended with peculiar difficulties; and for a *rail road* it is lower than the actual cost of any other rail road with which your committee are acquainted, except the *Maunch Chunk* rail way in Pennsylvania, which is used for the conveyance of coal from the mine to the river; and the Quincy rail way, 3 miles long, which is built upon an inclined plane, from the quarry to the landing, and is used for the conveyance of granite merely.

It should be remarked, that your committee were not able to ascertain the dimensions of the proposed canal from the report of Mr. Bucklin, to which they have had access. They however suppose that the estimate was intended for an *ordinary*, and not a *ship* canal.

The Hudson and Erie canal, in New York, was constructed under many disadvantages. The country had just been involved in a war; there was a want of experience and of practical information on the subject of canals; engineering was not then, as it is now, a distinct profession; and yet the *actual* cost of that canal, under all its embarrassments, was only about half as much as the *estimated* cost of the Illinois and Michigan canal, notwithstanding the high embankments, the deep cuts, the rock excavations, and the expensive aqueducts, some of which were actually rebuilt three times.

It is believed that part of the surveyed route is as favorable for making a canal as any other route in the country, it being near the bluff, which will form the embankment on one side. The great difficulties anticipated, are said to exist in the summit level, owing chiefly to the large amount of rock excavation.

In the report of Mr. Bucklin, the estimated cost of the *first* division of the route, which is 18 miles, and extends from the Chicago river to the Asogonashkee swamp, making the Lake a feeder, is \$1,287,081. This is equal to \$71,504 per mile. The report does not set forth the various items on which this estimate is based. This same division (page 14) making the Des Plaine and Calimic feeders, is estimated at \$186,240, which is equal to \$10,346 per mile. It is difficult to perceive why there should be so great a difference in the two estimates.

The second division extends from the Asogonashkee swamp to Mt. Joliet, a distance of about 20 miles. "This division includes the most expensive and unfavorable part of the line, on account of the great quantity of rock excavation, the difficulty of procuring earth for embankments, and the numerous small streams that intersect the route, and must be received into the canal." The report does not

furnish a separate and distinct estimate of this division of the route on the supposition of making the Lake a feeder.

The rock excavation is estimated at 893,920 cubic yards, at \$1 40 per cubic yard, amounting to the sum of \$1,250,088. It does not appear whether this be the amount of rock excavation for the whole route or for this division. It is, however, supposed to be the whole amount of rock excavation on the line. At the time when Mr. Bucklin's report was made, that portion of country was very new. The expense of living was great, and labor scarce and hard to be obtained—matters that should be taken into consideration in making an estimate like this. At that time no person anticipated such a rapid increase in wealth and population as has been witnessed in that section of country within the last two years. Large quantities of rock are now used in Chicago for building materials, and for constructing the piers at the harbor. It is believed that much of the rock excavated on this route could be carried to Chicago on the canal at a very trifling expense, and sold for perhaps nearly the actual cost of excavation. Your committee have been informed that a contract was recently made for delivering 1000 cords of rock at the piers in Chicago for \$5 40 per cord. A cord contains about five cubic yards. These rock are quarried about two or three miles from the town. The person who took the contract actually employs men to excavate or quarry the rock at \$1 50 per cord, and those men quarry from one and a half to two cords per day. Thus it will be seen, that the rock excavations in those parts are actually made for 30 cents per cubic yard. It is believed that the character of the rock in those regions is similar, it being all limestone. On some parts of the canal route, the rock excavation would probably be less expensive than at the quarries now worked, because the rock are supposed to lie in more regular strata.

With regard to the other difficulties which are supposed to exist on the second division of the route, your committee are not aware that they are more serious than really *have* existed and been overcome on other canal routes in the United States. Your committee do not deem it necessary to make any further remarks upon the above statements—they leave every man to draw his own inferences from them.

As to the *means* for constructing this work—from the foregoing facts it may safely be concluded that the whole cost of the canal would not exceed \$2,000,000; which would make the actual cost, not including the interest of the outlay, less than \$22,000 per mile. But how shall the necessary funds be obtained? Shall a company be incorporated to construct the work? Shall a loan be effected by pledging the canal lands, and the work, as fast as completed, for security? Shall a loan be effected on the faith of the State? Or shall commissioners be appointed to dispose of the canal lands, and expend the proceeds on the work? All of these questions have occurred to your committee, and have been, to some extent, discussed.

If a company be incorporated to construct the work, a liberal charter must be granted to it, as an inducement. The object of the company would be to make money. Only a limited amount of stock could be subscribed by the citizens of Illinois: reliance would be chiefly placed upon *foreign aid*. It would be unreasonable to suppose that men would be willing to embark in a speculation, under such circumstances, unless they could be certain of a reasonable prospect of gain. It would be necessary to give, as a *bonus*, either the whole or a part of the canal lands, in addition to all the other benefits and advantages that a company would derive from the monopoly of a work which ought to be under the sole control and management of the State. In such an event, the canal lands might, for an unreasonable length of time, be withheld from market, to the detriment of the settlers in that part of the country.

To negotiate a loan, by pledging the canal lands and canal for security, would, in its practical operations, be attended with some embarrassments. It is doubtful whether a sufficient sum of money could be obtained on such security *alone*. This plan would place the State in an awkward situation—that of proposing to *others* to assume a responsibility which the State itself would decline, although the object was obviously for the benefit of the State. But admitting that part of the money could be obtained on this security, the process of making the necessary negotiations might be dilatory and expensive. There would be a difficulty in disposing of the canal lands, under any circumstances, while under a pledge or mortgage; the consequence of which might be prejudicial to the interest of that section of the country.

With regard to negotiating a loan on the faith of the State, your committee are of opinion that a work of such vast importance to the State ought to be owned and controlled by the State.

Your committee are of opinion that the most feasible plan is to appoint a board of skillfull and practicable commissioners to dispose of a portion of the canal lands and lots, and expend the proceeds in the immediate construction of the canal, commencing at the north-eastern extremity of the proposed route. From the best information that can be obtained, the canal lots and lands in Chicago, in township thirty-nine, lands and lots at Ottawa, and near the southern termination of the canal, together with town lots at favorable locations on the route, would at the present time sell for the sum of three hundred thousand dollars.

This sum might be immediately expended on the work, and an important section of it might be in a short time completed. By adopting this plan, the work can at any rate be commenced and prosecuted to a considerable extent. The completion of the work, it is true, might depend upon other means and future resources; but your committee cannot for a moment believe that either the State or the general Gov-

ernment will long suffer a work of such great importance to remain in an unfinished condition, if once successfully commenced. It is obvious, that the remaining portion of the canal lands would be increased in value as soon as a reasonable degree of certainty could be felt that the canal would be commenced and prosecuted with energy. And it is confidently hoped that, when the money arising from the contemplated sale of canal lots shall have been expended, the remaining lands will have risen in value in such a degree, that it will be practicable to expose another quantity of them for sale. This, however, is left for future regulation.

Your committee cannot close, without earnestly recommending that some vigorous and decisive action should be had upon this very important subject. It has been long enough under deliberation. It is now time for *action*—for energetic and vigorous action. The people demand it—the welfare and prosperity of the whole State demand it: and the high stand that Illinois is destined, by her natural resources, to take at some future time among her sister States, demands that no efforts should now be spared to make those resources available.

All of which is respectfully submitted.

Which was read.

Mr. Dawson, from the same committee, also reported a bill, entitled

“An act, to provide for constructing the Illinois and Michigan Canal;”

Which was read the first time, and

Ordered to a second reading.

On motion of Mr. Cloud,

The rule of the House was dispensed with, and said bill now read a second time by its title; and,

On the further motion of Mr. Cloud,

Said report and bill, were laid upon the table, and 500 copies of the Report, and 162 copies of the Bill,

Were ordered to be printed.

Mr. Dawson, from the same committee, reported a bill, entitled

“An act, to incorporate the Chicago and Vincennes Railroad Company;”

Which was read the first time, and,

Ordered to a second reading.

On motion of Mr. Fithian,

The rule of the House was dispensed with, and said bill now read a second time by its title; and,

On motion of Mr. Stuart,

Said bill was referred to a committee of the Whole House, and made the order of the day for Friday next.

Mr. Vandevanter, proposed for adoption the following resolution, viz:

Resolved, That the nomination of Samuel McHattan, for County Surveyor of Schuyler county, made by the House of Representatives to the Senate heretofore, be vacated for the reason that said office was not vacant at the time said nomination was made.

Mr. Stuart moved to amend said resolution, by striking out all after the word "*Resolved*," and insert the following, viz:

"*By the House of Representatives*, That they do hereby rescind the nomination heretofore made to the Senate, of Samuel McHattan, for County Surveyor of Schuyler county, and the Senate is hereby requested to rescind their nomination and reject the same."

On motion of Mr. Thomas,

Said resolution and proposed amendment were laid upon the table.

Mr. Blackwell, from the select committee, to which was referred the bill, entitled

"An act, to amend an act, to regulate Mills and Millers, approved February 9, 1827;"

Reported the same back to the House without amendment; and,

On motion of Mr. Wyatt,

Said bill was referred to a select committee of seven.

Ordered, That Messrs. Wyatt, McHenry, Cloud, Whiteside, Tunnel, Hampton and Gordon, be that committee.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

Mr. Thompson gave notice that on Thursday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act, changing the mode or manner of applying the appropriation made to the county commissioners of Randolph

county, out of the avails arising from the sales of the Saline lands in Gallatin county, to Internal Improvements, approved Feb. 16th 1831, so as to authorize the county commissioners' court of Randolph county, to expend said appropriation within said county, as they think just and proper."

Mr. Ross, from the select committee, to which was referred the bill, entitled

"An act, to remove the seat of Justice of Adams county;"

Reported the same back to the House with an amendment; Which was read and concurred in.

Ordered to be engrossed as amended, for a third reading.

Mr. Butler gave notice that on Friday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act, to amend an act, entitled an act, relative to Wills and Testaments, Executors and Administrators, and the settlement of estates, approved January 23, 1829."

Mr. Murphy, from the select committee, to which was referred the preamble and resolutions from the Senate, relative to the mistake of Malone of Perry county, in entering his land, and to mistakes generally in entering Congress land, &c.

Reported the same back to the House, without amendment; The preamble and resolutions were then adopted.

Ordered, That the Clerk inform the Senate thereof.

Mr. Rowan proposed for adoption the following resolution, viz:

Resolved by the House of Representatives, That no new business will be received in this House after the 20th inst.

Mr. Blockburger moved to lay said resolution upon the table.

Mr. Henry moved to amend the motion, so as to make it a motion to lay said resolution upon the table until the 4th day of July next.

Which was agreed to.

On the question,

Will the House lay said resolution upon the table until the 4th day of July next?

It was decided in the affirmative. yeas 31—nays 15.

The yeas and nays being called for by

Messrs. Rowan and Manly:

Those who voted in the affirmative, are,

Messrs. Able, Blackwell, Brown, Butler, Carpenter of Sangamon, Clark, Cloud, Cunningham, Dawson, Dubois, Elliott, Frazer, Gregory, Hackelton, Henry, Hunt, Hunter, Lincoln,

Manly, Moore, Murphy, Nunnally, Owen, Stuart, Trower, Tunnell, Vandevanter, Whiteside, Webb, Wren Wyatt, and Mr. Speaker—31.

Those voting in the negative are,

Messrs. Anderson, Blockburger, Bowyer, Carpenter of Hamilton, Gordon, Hampton, Harreld, Hughes, Link, McHenry, McGahey, Oliver, Ross, Rowan and Thompson—15.

Mr. Henry proposed for adoption the following resolution, viz:

Resolved, That this House refuse to act on any State road bill, until the 22d day of the present month—that the House resolve itself into a committee of the Whole House, for the purpose of acting on State road bills on that day;"

Which was not agreed to.

Mr. Webb, in pursuance of previous notice, asked and obtained leave to introduce a bill, entitled

"An act, for the relief of the people of White county."

Mr. Trower gave notice that on Thursday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act, to extend the jurisdiction of Justices of the Peace in certain cases therein named;

The bill from the Senate, entitled

"An act to amend an act, entitled an act, to locate a State road from Quincy in Adams county, to Macomb in McDonough county, approved February 12, 1833,"

Was read the first time; and

Ordered to a second reading.

The bill from the Senate, entitled

"An act, to authorize Alexander Kirkpatrick and William Hick, to build a toll bridge across the Saline creek at Equality,"

Was read the third time as amended by them.

Mr. Gordon moved to amend said bill, by adding after the word "Elections," the following, to wit:

"Also, all persons with their waggons and teams going and returning to the Salt works in said county, for the purpose of procuring Salt;"

Which was not agreed to.

On the question,

Shall said bill as amended, now pass?

It was decided in the affirmative.

Ordered, That the title of the bill be as aforesaid, that the

Clerk inform the Senate thereof, and ask their concurrence to their amendments therein.

The Engrossed bills, entitled

"An act, to locate a State road from Bloomington to Chicago;" and,

The Engrossed bill, entitled

"An act, to change part of the State road leading from Bloomington to Danville;"

Were severally read the third time; and passed.

Ordered, That the titles of the bills be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence therein.

On motion of Mr. Gordon,

The rule of the House was dispensed with, and the bill, entitled

"An act, to incorporate Mount Carmel in Wabash county."

Was read the second time by its title; and,

On motion of Mr. Ficklin,

Referred to a select committee.

Ordered, That Messrs. Ficklin, Cunningham and Carpenter of Hamilton, be that committee.

On motion of Mr. Wyatt,

The rule of the House was dispensed with, and the bill, entitled

"An act, for the benefit of the heirs and legatees of Curtis Blakeman, Sr., deceased;"

Was read the second time by its title; and,

Ordered to be engrossed for a third reading.

The bill, entitled

"An act, to locate and establish a State road therein named;"

Was read the second time; and,

On motion of Mr. Hunter,

Referred to a select committee.

Ordered, That Messrs. Hunter, Hughes and Thomas, be that committee.

The bill, entitled

"An act, to establish a state road from Shelbyville in Shelby county, to Chicago on lake Michigan in Cook county."

Was read the second time; and,

Ordered to be engrossed for a third reading.

On motion of Mr. Thomas,

The rule of the House was dispensed with, and the bill from the Senate, entitled

"An act, to incorporate the Mount Carbon Coal Company;"
Was now read the second time by its title; and,
On motion of Mr. Wyatt,

Said bill was laid upon the table until the 4th day of July next.

Mr. Blackwell gave notice that on Monday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act, to repeal an act, to regulate the interest on money, approved February 28, 1833."

Mr. Murphy, gave notice that on Friday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act, for the relief of sundry citizens of the counties of Perry and Randolph."

Mr. Rowan, gave notice that on Thursday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act to amend an act, concerning the practice in courts of law in this State."

Mr. Blockburger gave notice that on Friday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act, to locate a State road from Cahokia creek, where the old State road crosses, to the nearest point on the bank of the Mississippi river, opposite St. Louis."

On motion of Mr. Thomas,

The resolution some days since laid upon the table, relative to county seats, &c.

Was now taken up, considered and adopted.

Mr. Wyatt, proposed for adoption the following resolution, viz:

Resolved, That the committee on Internal Improvements, be instructed to enquire into the expediency of incorporating a company, for the purpose of constructing a Rail Road, commencing at or near the mouth of the Indiana canal, at the west bank of the Great Wabash river, through Paris in Edgar county, and Springfield in Sangamon county, and Jacksonville in Morgan county, by the way of Meredosia to Quincy in Adams county.

Mr. Ficklin moved to amend said resolution, by adding

"And also, to construct a Rail Road, from Mount Carmel in Wabash county, by way of Maysville in Clay county, to Vandalia in Fayette county, and Edwardsville in Madison county, to Alton."

Mr. Rowan moved to lay said resolution and proposed amendment on the table until the 4th day of July next.

Mr. Thomas moved to refer said resolution and proposed amendment to a committee of the Whole House and make it the order of the day for Monday next; when,

On motion of Mr. Dougherty,

The House adjourned.

WEDNESDAY, *January 7, 1835.*

House met pursuant to adjournment.

Message from the Senate by Mr. White, their Secretary.

“MR. SPEAKER—I am directed by the Senate to inform the House of Representatives that they have rejected the bill from the House of Representatives, entitled

“An act, for the relief of William Spencer.”

They have refused to read a third time, the bill from the House of Representatives, entitled

“An act, to amend an act, entitled an act to extend the jurisdiction of Justices of the Peace, approved Dec. 19, 1826.”

They have concurred with the House of Representatives, in their amendment to the resolution from the Senate, relative to the laying off the State into judicial circuits, &c.; and have appointed

Messrs. Davidson, Stephenson, Will, Ewing and Jones, the committee on their part.”

And then he withdrew.

Mr. Henry, presented the petition of sundry citizens of Beardstown in Morgan county, praying an additional justices district, including said town;

The reading whereof, was,

On his motion,

Dispensed with, and the same

Referred to the committee on Petitions.

Mr. Dubois, presented the petition of sundry citizens of Lawrence county, praying the passage of an act, incorporating the town of Lawrenceville in said county; and,

On his motion,

The reading thereof was dispensed with, and the same
Referred to a select committee.

Ordered, That Messrs. Dubois, Ficklin and Manly, be
that committee.

Mr. Harris, presented the petition of sundry citizens of Montgomery and Macoupin counties, praying a change in part, of a State road therein named; and,

On his motion,

The reading thereof was dispensed with, and the same
Referred to the committee on Petitions.

Mr. Hughes from the committee on Public Accounts and Expenditures, to which was referred the Auditor's Report, relative to Clerk hire in the Treasury Department; reported,

That in the opinion of the committee, the money appropriated for that purpose, had been paid out according to law, and prayed to be discharged from the further consideration of said report.

Upon the question,

Shall said committee be discharged from the further consideration of said report?

It was decided in the affirmative.

Mr. Hughes, from the same committee, to which was referred a resolution of the House, requiring them to enquire into the expediency of compensating witnesses in behalf of the People in criminal cases, where they are required to attend out of the county in which they reside; reported:

That in the opinion of the committee, it is inexpedient to legislate on the subject at present, and pray to be discharged from the further consideration of said subject.

Mr. Webb moved to refer the subject of said resolution, to the committee on the Judiciary, with instructions also to enquire into the expediency of repealing or modifying all laws authorizing a change of venue in criminal cases.

Mr. Thomas moved to amend said motion, by directing said committee to report a bill providing compensation for witnesses in criminal cases.

On the question,

Shall said motion be so amended?

It was decided in the negative. yeas 20,—nays 32.

The yeas and nays being called for by

Messrs. Thomas and Wyatt:

Those voting in the affirmative, are,

Messrs. Anderson, Blockburger, Bowyer, Brown, Butler, Clark, Cloud, Cunningham, Elliott, Ficklin, Frazer, Gordon, Hackelton, Hunter, McGahey, Thomas, Vandevanter, White-side, Wyatt and *Mr. Speaker*—20.

Those voting in the negative, are,

Messrs. Able, Blackwell, Carpenter of Hamilton, Carpenter of Sangamon, Dawson, Dougherty, Dubois, Fithian, Gregory, Hampton, Harreld, Henry, Harris, Hughes, Hunt, Link, McHenry, Manly, Moore, Murphy, Nunnally, Oliver, Out-house, Owen, Ross, Rowan, Stuart, Thompson, Trower, Tunnel, Webb and Wren—32.

On the question,

Shall the subject matter of said resolution, be referred to the committee on the Judiciary, with said instructions?

It was decided in the negative.

The question then recurring on discharging the committee on Public Accoants and Expenditures, from the further consideration of said subject?

It was decided in the affirmative.

So the committee were discharged from the further consideration of said subject.

Mr. Cloud, from the committee on Enrolled Bills, reported: That he this day laid before the Council of Revision, bills of the following titles, viz:

“An act, for the relief of Daniel Curtin.”

“An act, concerning the town of Galena.”

“An act, to amend an act, directing the location of a State road from Carmi in White county, to the county road leading from Palestine to Heath’s mill in Lawrence county.”

“An act, to amend an act, entitled an act, to provide for the election of Justices of the Peace and Constables.”

“An act, to authorize Wilman and Weed to establish a ferry on the Little Wabash river.”

“An act, to authorize the county commissioners of Pike county, to sell certain property therein named.”

“An act concerning conveyances by County Commissioners.”

“An act, to authorize Samuel Musick, to build a toll bridge across Salt Creek in Sangamon county;”

“An act, concerning towns of Pittsfield and Chester.”

"An act, to permanently establish the road leading from Vandalia to Shelbyville, as far as the county line of Fayette county."

"An act, declaring the road leading from Paris in Elgar county, to the State line, in a direction towards Terre Haute in Indiana, a state road,"

"An act, providing for the sale of the fractional sixteenth section, in township six north, range twelve west, and such other lands as may be selected in lieu of the sixteenth sections in the fractional townships upon the Mississippi and Illinois rivers in Greene county."

"An act to establish an uniform mode of holding Circuit Courts."

"An act, to amend an act, to establish a road from Hillsboro' to Alton."

"An act, to repeal an act, for the relief of the securities of Henry Bowyer, late Sheriff of Gallatin county, approved February 26, 1833."

The following memorials and resolutions were this day delivered to the Governor:

A memorial to Congress, relative the establishment of a Surveyor General's Office within this State: also,

A memorial relative to the sixteenth sections: also,

A resolution relative to the establishment of ports of entry."

A preamble and resolution, in relation to pre-emption rights on Public Lands: also,

A preamble and resolution in relation to a road from Vincennes to Chicago.

Mr. Thomas, from the committee on the Penitentiary, to which was referred the report of the Commissioners of the Penitentiary, reported a bill, entitled

"An act, for the relief of Lewis J. Clawson;"

Which was read the first time; and

Ordered to a second reading.

Mr. Gregory, from the committee on Education, to which was referred a resolution of the House, directing them to enquire into the expediency of repealing so much of the law regulating the sale of Seminary Lands, as grants pre-emption rights on said lands; reported a bill, entitled

"An act, to repeal so much of the law as grants pre-emption rights to settlers on Seminary Lands;"

Which was read the first time, and,

Ordered, to a second reading.

Mr. McGahey, from the select committee to which was referred the petition of sundry citizens of Crawford county, praying a review of a part of the State road from Vincennes to Chicago, reported a bill entitled

"An act, to change a part of the State road from Vincennes to Chicago;"

Which was read the first time, and

Ordered to a second reading.

Mr. Henry, from the select committee, to which was referred the bill, entitled

"An act, for the benefit of the Sheriff of Sangamon county;"

Reported the same back to the House with an amendment;

Which was read; and concurred in.

Ordered to be Engrossed as amended, for a third reading.

Mr. Whiteside, from the committee on Finance, to which was referred the resolution of the House, instructing them to enquire into the propriety of authorizing the several Sheriffs of this State, to sell such copies of the Revised Laws of this State, as they may have in their possession, at a less price than now authorized by law; reported a bill, entitled

"An act, to amend an act, declaring what laws of a general nature shall be published, with the acts of a general nature of this session, approved March 2, 1833;"

Which was read the first time, and,

Ordered, to second reading.

Mr. Link gave notice that he should, on Monday next, or some day thereafter, ask leave to introduce a bill providing for the laying out and establishing of State roads in certain cases, without legislative aid.

Mr. Anderson, from the committee on Propositions and Grievances, to which was referred the resolution of the House instructing them to enquire whether the law concerning marks and brands has been repealed; reported a bill, entitled

"An act, concerning marks and brands;"

Which was read the first time, and,

Ordered to a second reading.

The resolution instructing the committee on Internal Improvements to enquire into the expediency of incorporating a company to construct a rail-road from the west bank of the Great Wabash river at or near the mouth of the Indiana Canal, by Paris, Springfield, Jacksonville, Meredosia, to Quincy, with

the proposed amendment thereto, coming up for consideration—

On the question,

Shall said resolution and proposed amendment, be referred to a committee of the Whole House, and made the order of the day for Monday next?

It was decided in the negative.

Mr. Rowan withdrew his motion to lay said resolution and proposed amendment on the table until the 4th day of July next.

On motion of Mr. Link,

Said resolution and proposed amendment, were

Referred to the committee on Internal Improvements.

Mr. Carpenter of Hamilton, proposed for adoption the following resolution, viz:

Resolved, That the committee on Internal Improvements, be instructed to enquire into the expediency of incorporating a company, for the purpose of constructing a Rail Road, from Shawneetown on the Ohio river, to Lower Alton on the Mississippi river, via McLeansboro' in Hamilton county, Mount Vernon in Jefferson county, Carlyle in Clinton county, and Edwardsville in Madison county.

Mr. Moore moved to amend said resolution, by adding

"Lebanon in St. Clair county," after the word "Carlyle."

Mr. Dougherty moved to amend said resolution, by adding at the end thereof,

"And a Rail-Road from Grand Cairo, at the mouth of the Ohio river, by Vandalia, to the southern termination of the Illinois and Michigan Canal;"

Which was agreed to.

The question then recurring upon the amendment proposed by Mr. Moore;

Which was agreed to.

Mr. Outhouse moved further to amend said resolution, by adding,

"Or from Vincennes, commencing at the Great Wabash river, and thence to the Mississippi opposite St. Louis;"

When,

On motion of Mr. Dawson,

The House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

On motion of Mr. Gregory,

The resolution proposed by Mr. Carpenter of Hamilton, together with the amendments proposed by

Messrs. Onthouse and Moore, as amended by

Mr. Dougherty, were

Laid upon the table.

On motion of Mr. Wyatt,

The vote taken on yesterday, upon laying the bill, entitled "An act, to incorporate the Mount Carbon Coal Company;" upon the table until the 4th day of July,

Was re considered.

On motion of Mr. Murphy,

Said bill was referred to a select committee.

Ordered, That Messrs. Murphy, Harreld and Thompson, be that committee.

Mr. Gregory, from the committee on Education, to which was referred the bill, entitled

"An act, to provide for the distribution and application of the interest of the several school funds;"

Reported the same back to the House without amendment; and,

On motion of Mr. Gordon,

Said bill was laid upon the table, and 81 copies of said bill ordered to be printed.

The bill, entitled

"An act, to remove the seat of Justice of Adams county;"

Was read the third time and passed.

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence to their amendments therein.

The Engrossed bill, entitled

"An act, for the benefit of the heirs and legatees of Curtis Blakeman, Sr., deceased;"

Was read the third time;

Mr. Thomas moved to amend the preamble of the bill by adding after the word "portions," the words "no injury could be done to said minor legatees, and much benefit would inure to said adults;"

Which was agreed to.

On the question,
 Shall said bill as amended, now pass?
 It was decided in the affirmative.

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence therein.

A message from the Council of Revision, by Mr. Brown their Secretary.

"Mr. SPEAKER—The Council of Revision, have approved bills of the following titles, viz:

"An act, to authorize the county commissioners of Pike county, to sell certain property therein named."

"An act, to authorize Samuel Musick, to build a toll bridge across Salt Creek in Sangamon county;"

"An act, to permanently establish the road leading from Vandalia to Shelbyville, as far as the county line of Fayette county."

"An act, declaring the road leading from Paris in Edgar county, to the State line in a direction towards Terre Haute in Indiana, a State road."

"An act, concerning the towns of Pittsfield and Chester."

"An act, to amend an act, entitled an act, to provide for the election of Justices of the Peace and Constables."

"An act concerning conveyances by County Commissioners."

"An act, to amend an act, to establish a State road from Hillsboro' to Alton."

"An act, to repeal an act, for the relief of the securities of Henry Bowyer, late Sheriff of Gallatin county."

"An act, concerning the town of Galena."

"An act, to amend an act, directing the location of a State road from Carmi in White county, to the county road leading from Palestine to Heath's mill in Lawrence county."

"An act, for the benefit of Daniel Curtin."

"An act, to establish an uniform mode of holding Circuit Courts;" and,

"An act, to authorize Wilman and Weed to establish a ferry on the Little Wabash river."

And then he withdrew.

The Engrossed bill, entitled

"An act for the benefit of the Sheriff of Sangamon county;"

Was read the third time, and passed.

Mr. Stuart moved to amend the title of said bill, so as to make it

"An act, for the benefit of the Sheriffs therein named;"

Which was agreed to.

Ordered, That the title of the bill be as amended, that the Clerk inform the Senate thereof and ask their concurrence to therein.

A Message from the Governor by Mr. Bradly.

Mr. SPEAKER,—I am directed by the Governor to lay before the House a written communication.

And then he withdrew.

Mr. Speaker laid before the House a communication from the Governor, this day received, as follows, to wit:

EXECUTIVE DEPARTMENT, }
Vandalia, January 7, 1835. }

To the Hon. the SPEAKER of the House of Representatives:

SIR—I beg leave to inform the House of Representatives, that a vacancy has occurred in the office of County Surveyor of Warren county, by the resignation of Major Peter Butler.

I have the honor to be,

Your ob't serv't,

JOSEPH DUNCAN.

On motion of Mr. Dawson,

Said communication was laid upon the table.

The bill, entitled

"An act, to establish a State road from Crow's in the county of Morgan, by the way of Athens in Sangamon county, to Musick's Bridge on Salt Creek;

Was read the second time; and,

On motion of Mr. Wyatt,

Referred to a select committee.

Ordered, That Messrs. Wyatt, Henry, and Carpenter of Sangamon, be that committee.

The bill, entitled

"An act, for the relief of the people of White county."

Was read the second time; and,

Ordered to be engrossed for a third reading.

The bill entitled,

"An act to amend an act, entitled an act, to locate a State road from Quincy in Adams county, to Macomb in McDonough county, approved February 12, 1833,"

Was read the second time; and,

On motion of Mr. Owen,
Referred to a select committee.

Ordered, That Messrs. Owen, Butler, and Vandevanter, be that committee.

On motion of Mr. Link,

The House resolved itself into a committee of the Whole House, to take into consideration

The resolutions from the Senate, relative to the Canal lands;
Mr. Link in the Chair;

And after some time spent therein,

Mr. Speaker resumed the Chair, and

Mr. Link reported, That the committee of the Whole House had, according to order, said resolutions under consideration, and had directed him to report the same back to the House without amendment.

Mr. Thomas moved to lay said resolutions upon the table;
Which was not agreed to.

The resolutions were then concurred in.

Ordered, That the Clerk inform the Senate thereof.

On motion of Mr. Dawson,

The House resolved itself into a committee of the Whole House, to take into consideration the resolution of this House, relative to the circulation of Bank Bills under the sum of five, ten and twenty dollars;

Mr. Murphy in the Chair:

And after some time spent therein,

Mr. Speaker resumed the Chair; and,

Mr. Murphy reported, That the committee of the Whole House had, according to order, said resolution under consideration, and had directed him to report the same back to the House without amendment.

The resolution was then adopted.

Ordered, That the Clerk inform the Senate thereof.

On motion of Mr. Stuart,

The committee of the Whole House was discharged from the further consideration of the bill, entitled

"An act, to incorporate the Chicago and Vincennes Railroad Company;" and,

On motion of Mr. Fithian,

Said bill was referred to a select committee.

Ordered, That Messrs. Fithian, Hamlin and Nunnally, be that committee.

Mr. Nunnally gave notice that on Thursday next, or some day

thereafter, he should ask leave to introduce a bill, entitled
 "An act, to amend an act, relative to criminal jurisprudence,
 approved February 26, 1833."

Mr. Stuart, from the committee on Petitions, to which was
 referred the petition of sundry citizens of the counties of Mont-
 gomery and Macoupin, praying the establishment of a certain
 State road therein named; reported a bill entitled

"An act, declaring the road from Seward's to Taylor's, a
 State road;"

Which was read the first time, and,

Ordered to a second reading.

On motion of Mr. Harris,

The rule of the House was dispensed with, and said bill now
 read a second time by its title; and,

On the further motion of Mr. Harris,

Referred to a select committee.

Ordered, That Messrs. Harris, Blockburger and Hunter, be
 that committee.

Mr. Clark, from the select committee, to which was refer-
 red the bill, entitled

"An act, to authorize certain persons therein named, to erect
 mill dams,"

Reported the same back to the House without amendment;

Ordered to a third reading.

Mr. Hunter, from the select committee, to which was
 referred the bill, entitled

"An act, to locate and establish a State road therein named,"

Reported the same back to the House, without amendment;

Ordered to be engrossed for a third reading.

And then the House adjourned.

THURSDAY, January 8, 1835.

House met pursuant to adjournment.

Mr. Hamlin, presented the petition of the Clerk of the county
 commissioners' court of La Salle county, praying the passage
 of a law for the purposes therein named; and,

On his motion,

The reading thereof was dispensed with, and the same

Referred to the committee on Petitions.

Mr. Henry, presented the memorial of the Trustees of the Jacksonville Academy, for certain purposes;

The reading whereof, was,

On his motion,

Dispensed with, and the same

Referred to a select committee.

Ordered, That Messrs. Henry, Wyatt and Cloud, be that committee.

Mr. Stuart, from the committee on Petitions, to which was referred the petitions of sundry citizens of Warren and Mercer counties, praying the appointment of Wm. C. Butler and Ephraim Gilmore Surveyors of said counties, reported the following resolution, viz:

Resolved, That William C. Butler, be recommended to the Senate, as a suitable person to fill the office of County Surveyor of Warren county;

Which was considered and adopted.

Mr. Stuart, from the same committee, also reported the following resolution, viz:

Resolved, That Ephraim Gilmore be nominated to the Senate, as a suitable person to fill the office of County Surveyor of Mercer county;

Which was considered and adopted.

Ordered, That the Clerk inform the Senate thereof.

Mr. Manly, from the committee on the Judiciary, to which was referred the bill, entitled

"An act, altering the State road from Vincennes to St. Louis;"

Reported the same back to the House without amendment; and recommended the passage of said bill. And,

On motion of Mr. Moore,

Said bill was referred to a select committee of five.

Ordered, That Messrs. Moore, Whiteside, Thomas, Out-house and Frazer, be that committee.

Message from the Senate by Mr. White, their Secretary.

"Mr. SPEAKER—I am directed by the Senate to inform the House of Representatives that they have adopted the following resolutions, viz:

Resolved by the General Assembly of the State of Illinois, That our Senators and Representatives in Congress, be requested to use their whole influence to procure the passage of a law, redu-

cing the price of lands claimed by the United States, which have been in market for fifteen years, to fifty cents per acre.

Resolved, That it is highly expedient that the propositions of the foregoing resolution, should be pressed forward seriously and ardently, and aside from party considerations, on the ground that such a measure, would facilitate the sale of the public domain—would give to many a poor but honest family a home; would give an equal spring to the improvement of every part of the State; and would, in a few years, increase the means of the State, by making lands taxable, that lie within our limits now untaxed, and likely to remain so, without such measures should be adopted on the part of Congress in relation to the sale of the Public Lands.

Be it further Resolved, That there is reason and propriety in the suggestion that those lands, thus long in market, should be reduced; because the best selections having long since been made, emigrants frequently pass over those unsold, and seek a newer and better soil at the same price; and because the sale of those lands at this reduced price would, by throwing them into the hands of the honest cultivator of the soil, have a tendency to develope the resources of the country, and to hasten with rapid strides, the progress of the State to happiness and prosperity; in the adoption of which resolutions, they ask the concurrence of the House of Representatives.

They have concurred with the House of Representatives, in their amendment to the bill from the Senate, entitled

“An act, to authorize Alexander Kirkpatrick and William Hick, to build a toll bridge across the Saline creek at Equality,”

They have passed a bill of the following title, viz:

“An act, for the benefit of William Allen;” in the passage of which, they ask the concurrence of the House of Representatives.”

And then he withdrew.

Mr. Stuart, from the committee on Petitions, to which was referred the petition of sundry citizens of McDonough county, praying the establishment of a certain State road therein named; reported a bill, entitled

“An act, to change part of the State road leading from Macomb to Havanna;”

Which was read the first time; and,

Ordered to a second reading.

Mr. McGahey, from the joint select committee, appointed to lay off the State into circuits, reported:

That the committee have performed that duty, and have directed him to report that a bill will be forthwith reported to the Senate on that subject.

Mr. Dubois, gave notice that on Saturday next, or some day thereafter, he should ask leave to introduce a bill, entitled "An act for the benefit of James Nabb."

Mr. Bowyer, from the select committee, to which was referred the bill, entitled

"An act, to view and lay out a road from the nine mile tree, at or near Little Rattle Snake creek in Jackson county, to New Nashville in Washington county,"

Reported back to the House a substitute;

Which was read and concurred in.

Ordered to be engrossed for a third reading.

Mr. Blockburger, from the select committee to which was referred the petition of sundry citizens of Montgomery county, praying the establishment of a certain State road therein named; reported a bill entitled

"An act to change a part of the State road leading from Hillsboro' to Shelbyville;"

Which was read the first time, and

Ordered to a second reading.

Mr. Harris, from the select committee, to which was referred the bill, entitled

"An act, declaring the road from Seward's to Taylor's, a State road;"

Reported the same back to the House, without amendment;

Ordered to be engrossed for a third reading.

Mr. Manly, gave notice that on Saturday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act, to amend an act, concerning the action of Detinue, approved January 6, 1827."

Mr. Owen, from the select committee, to which was referred the bill from the Senate, entitled

"An act to amend an act, entitled an act, to locate a State road from Quincy in Adams county, to Macomb in McDonough county, approved February 12, 1833,"

Reported the same back to the House without amendment;

Ordered to a third reading.

Mr. Fithian gave notice that on Friday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act, relating to the Receiver of the Vermillion Saline Reserve, and the commissioner of the Gallatin Saline lands."

Mr. Rowan, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill, for

"An act to amend the practice act, of 1827;"

Which was read the first time, and,

Ordered, to a second reading.

Mr. Wyatt, from the select committee, to which was referred the bill, entitled

"An act, to establish a State road from Crow's in the county of Morgan, by the way of Athens in Sangamon county, to Musick's Bridge on Salt Creek;"

Reported the same back to the *House* with an amendment; Which was read; and concurred in.

Ordered to be Engrossed as amended, for a third reading.

Mr. Dougherty, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill, entitled

"An act, for the benefit of the Sheriff of Union county."

Which was read the first time, and,

Ordered to a second reading.

Mr. Moore, in pursuance of previous notice, asked and obtained leave to introduce a bill, entitled

"An act, concerning County Surveyors and Clerks."

Which was read the first time, and,

Ordered to a second reading.

Mr. Oliver, from the select committee to which was referred the petition of sundry citizens of Johnson county, praying the establishment of a certain State road therein named, reported a bill, entitled

"An act, to locate a road from Frankfort in Franklin county, via Vienna in Johnson county, to the Ohio river;"

Which was read the first time, and,

Ordered, to a second reading.

Mr. Trower, gave notice that on Saturday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act, to change the mode of levying a tax on merchandise."

Mr. Fithian, from the select committee, to which was referred the bill entitled

"An act, to incorporate the Chicago and Vincennes Railroad Company;"

Reported the same back to the *House* with sundry amendments;

Which were read and concurred in.

Ordered to be engrossed as amended, for a third reading.

The Engrossed bill, entitled

"An act, for the relief of the people of White county."

The Engrossed bill from the Senate, entitled

"An act, to authorize certain persons therein named, to erect mill dams," and,

The Engrossed bill, entitled

"An act, to locate and establish a State road therein named,"

Were severally read the third time; and passed.

Ordered, That the titles of the bills be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence in the passage of the first and last of said bills.

Mr. Rowan moved that the rule of the House be dispensed with, and that the House re-consider the vote taken some days since, upon the resolution having for its object the acting upon road bills in committee of the Whole House, on the 22d inst;

Which was not agreed to.

The bill entitled,

"An act, concerning marks and brands;"

Was read the second time; and,

On motion of Mr. Wyatt,

Referred to a select committee.

Ordered, That Messrs. Wyatt, Anderson and Lincoln, be that committee.

The bill, entitled

"An act, for the relief of Lewis J. Clawson;"

Was read the second time;

Mr. Link moved to strike out the preamble in said bill;

Which was not agreed to.

Ordered to be engrossed, for a third reading.

On motion of Mr. Blackwell,

Resolved by the House of Representatives, of the State of Illinois, That as a mark of respect to the distinguished individual under whose command, on this day twenty years ago, the British forces were so signally defeated at New Orleans, and our Southern borders rescued from British invasion, that this House adjourn until to-morrow morning 10 o'clock, A. M.

Resolved, That in the opinion of this House, the recollection of this day should be cherished by Americans, and the venerable patriot, who so eminently contributed to the glory of our arms, should ever be held in grateful remembrance.

And then the House adjourned.

FRIDAY, January 9, 1835.

House met pursuant to adjournment.

Mr. Stuart, from the committee on Petitions, to which was referred the petition of the Clerk of the county commissioners' court of La Salle county, praying certain things therein named; reported a bill, entitled

"An act, for the benefit of the Clerk of the circuit and county commissioners, courts;"

Which was read the first time; and

Ordered to a second reading.

Mr. Gordon, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill, entitled

"An act, to amend an act, entitled an act, for the organization and government of the militia of this State; in force from and after the 1st July 1833;"

Which was read the first time; and

Ordered to a second reading.

Mr. Hamlin, presented the petition of James Walker, for the purposes therein named; and,

On motion of Mr. Dunn,

The reading thereof was dispensed with, and the same

Referred to a select committee.

Ordered, That Messrs. Dunn, Wyatt and Hughes, be that committee.

Mr. Hamlin, from the select committee, to which was referred the petition of Timothy K. Hale, praying the passage of an act, authorizing him to build a toll bridge across the Little Calimic river, reported a bill, entitled

"An act, to provide for building a toll bridge across the Little Calimic;"

Which was read the first time; and,

Ordered to a second reading.

Mr. Rowan moved that the rule of the House be dispensed with, and said bill be now read a second time by its title;

Which was not agreed to.

Mr. Fithian, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill, entitled

"An act, changing an appropriation heretofore made to the county commissioners' court of Vermillion county, to the county commissioners' court of Champaigne county."

Which was read the first time; and,
Ordered to a second reading.

Mr. Bowyer, in pursuance of previous notice, asked and obtained leave to introduce a bill, entitled

"An act, to amend the act, requiring persons who petition the General Assembly, to give certain notice, before such petitions are finally acted on."

Which was read the first time; and,
Ordered to a second reading.

Mr. Rowan, gave notice that on Monday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act, concerning the 16th section in Equality township, in Gallatin county."

Mr. Outhouse, proposed for adoption the following resolution, viz:

Resolved, That the committee on Education, be instructed to enquire into the expediency of passing a law requiring the State to pay twelve per cent. interest on the School Fund, and that they report by bill or otherwise;

Which was not agreed to.

Mr. Harreld gave notice that on Monday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act for closing all Salt Petre Caves, that are, or may be worked in this State, for the protection of cattle."

On motion of Mr. Hughes,

Resolved, That the committee on Finance, be instructed to enquire into the expediency of repealing the 8th section of the act making appropriations for the years 1833 and 1834, and such other parts as they may think expedient, and that they report by bill or otherwise.

Mr. Hackelton, from the select committee, to which was referred the bill, entitled

"An act to amend an act, regulating Enclosures;"

Reported the same back to the House with an amendment;
 Which was read and not concurred in.

Ordered to be engrossed for a third reading.

On motion of Mr. Fithian,

Resolved, That the committee on the Judiciary, be instructed to enquire into the expediency of so amending the law, entitled

"An act, for the relief of the poor, approved March 1, 1833," as to provide that some period of residence shall be necessary for paupers, to entitle them to the benefit of the laws of this

State, and to prescribe some mode for the removal from counties, where they may have no residence, to counties or States where they may have had a residence:

And also, to enquire whether any legislative action be necessary to prevent paupers from obtaining a residence in this State.

On motion of Mr. Owen,

Resolved, That the committee on Education, be instructed to enquire into the expediency of so amending the law regulating the mode of taking the census or enumeration of the inhabitants of this State, so as to require all persons over the age of five and under ten, over ten and under fifteen years, to be given in separate columns.

Mr. Hughes gave notice that on *Monday* next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act, to amend an act, entitled an act, regulating the salaries, fees and compensation of the several officers and persons therein mentioned.

The resolutions from the Senate, in relation to the reduction of the price of Public Lands,

Were read; when,

On motion of Mr. Stuart,

The first resolution was amended by striking out "15," and inserting "10."

The resolutions were then adopted as amended.

Ordered, That the Clerk inform the Senate thereof, and ask their concurrence in the amendment to said first resolution.

The bill from the Senate, entitled

"An act, for the benefit of William Allin;"

Was read the first time; and,

Ordered to a second reading.

The Engrossed bill, entitled

"An act, to view and locate a road from the nine mile tree, at or near the Little Rattle Snake creek in Jackson county, to New Nashville in Washington county,"

Was read the third time, and passed.

Mr. Bowyer moved to amend the title of the bill, so as to make it:

"An act, to view and locate a State road from Brownsville, by way of Pinckneyville, to New Nashville in Washington county,"

Which was agreed to.

Ordered, That the title of the bill be as amended, that the Clerk inform the Senate thereof, and ask their concurrence therein.

The Engrossed bills, entitled

"An act, declaring the road from Seward's to Taylor's a State road.

"An act, to establish a State road from Crow's in the county of Morgan, by way of Athens, in Sangamon county, to Musick's bridge on Salt creek;" and,

"An act, for the relief of Lewis J. Clawson;"

Were severally read the third time; and passed.

Ordered, That the titles of the bills be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence therein.

The bill from the Senate, entitled

"An act to amend an act, entitled an act, to locate a State road from Quincy in Adams county, to Macomb in McDonough county, approved February 12, 1833,"

Was read the third time and passed.

Ordered, That the Clerk inform the Senate thereof.

The Engrossed bill, entitled

"An act, to incorporate the Chicago and Vincennes Railroad Company;"

Was read in part; when,

On motion of Mr. Fithian,

The further reading thereof was dispensed with,

And the bill was passed.

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof and ask their concurrence to therein.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

Mr. Webb moved that the House adjourn;

Which was not agreed to.

Mr. Ficklin, from the select committee, to which was referred the bill, entitled

"An act, to incorporate Mount Carmel in Wabash county;"

Reported back to the House a substitute;

Which was read and concurred in.

Ordered to be engrossed for a third reading.

Mr. Henry, from the select committee, to which was referred the memorial from the Trustees of the Jacksonville Academy, for certain purposes; reported a bill, entitled

"An act, to incorporate the Jacksonville Female Academy;"

Which was read the first time, and,

Ordered, to a second reading.

On motion of Mr. Thomas,

The committee of the Whole House was discharged from the further consideration of the preamble and resolutions relative to the re-charter of the United States Bank, the President's Protest, and the French indemnity, &c.

Mr. Link moved to lay said preamble and resolutions upon the table.

On the question,

Shall said preamble and resolutions be laid upon the table?

It was decided in the negative. yeas 8.—nays 42.

The yeas and nays being called for by

Messrs. Thomas and Wyatt:

Those voting in the affirmative, are,

Messrs. Blackwell, Brown, Dubois, Hamlin, Hunt, Link, Manly and Stuart—8.

Those voting in the negative, are,

Messrs. Able, Anderson, Blockburger, Bowyer, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cloud, Cunningham, Dawson, Dougherty, Elliott, Ficklin, Fithian, Frazer, Gordon, Hackelton, Hampton, Harreld, Harris, Henry, Hughes, Lincoln, McHenry, McGahey, Moore, Murphy, Nunnally, Oliver, Onthouse, Owen, Ross, Rowan, Thomas, Thompson, Trower, Tunnell, Vandevanter, Webb, Wyatt and Mr. Speaker—42.

Mr. Gordon moved to amend said resolutions, by adding the following, viz:

Resolved by the General Assembly, That we believe a National Bank to be both useful and expedient, and that such an institution, properly guarded by salutary provisions, would tend in a great degree, to promote the interests of the country.

Mr. Hughes moved the previous question.

A question of order arising, as to which of said motions shall be first put;

Mr. Speaker decided that the question on the amendment proposed by

Mr. Gordon, has precedence and shall be first put, the motion to amend having been first made.

Mr. Thomas appealed from the decision of the Chair to the House.

On the question,

Shall the decision of the Chair upon the question of order, stand as the judgment of the House?

It was decided in the affirmative.

So the House sustained the decision of the Chair, and directed the question upon the proposed amendment to be first put.

On the question,

Shall the resolutions be so amended?

It was decided in the negative. yeas 21.—nays 30.

The yeas and nays being called for by

Messrs. Dubois and Ross:

Those who voted in the affirmative, are,

Messrs. Blackwell, Brown, Dawson, Dubois, Elliott, Ficklin, Fithian, Frazer, Gordon, Hamlin, Harreld, Hunt, Lincoln, Link, Manly, Moore, Ross, Stuart, Thomas, Webb and Wren—21.

Those who voted in the negative, are

Messrs. Able, Anderson, Blockburger, Bowyer, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cloud, Cunningham, Dougherty, Hackelton, Harris, Hampton, Henry, Hughes, McGahey, McHenry, Murphy; Nunnally, Oliver, Outhouse, Owen, Rowan, Thompson, Trower, Tunnel, Vandevanter, Wyatt and Mr. Speaker—30.

On the question,

Shall the main question now be put?

It was decided in the affirmative. yeas 28—nays 23.

The yeas and nays being called for, by

Messrs. Able and Anderson:

Those voting in the affirmative, are

Messrs. Able, Anderson, Blockburger, Bowyer, Carpenter of Hamilton, Dawson, Dubois, Ficklin, Frazer, Hackelton, Harris, Hampton, Harreld, Hughes, Manly, McGahey, McHenry, Moore, Murphy, Oliver, Outhouse, Owen, Rowan, Thompson, Thomas, Tunnell, Vandevanter and Wyatt—28.

Those voting in the negative are,
Messrs. Blackwell, Brown, Butler, Carpenter of Sangamon, Clark, Cloud, Cunningham, Dougherty, Elliott, Fithian, Gordon, Hamlin, Henry, Hunt, Lincoln, Link, Nunnally, Ross, Stuart, Trower, Webb, Wren and Mr. Speaker—23.

The question recurring upon the adoption of the preamble and resolutions:

Mr. Moore called for a division of the question.

The question then being upon the adoption of the first resolution;

It was decided in the affirmative. yeas 37—nays 14.

The yeas and nays being called for by

Messrs. Blackwell and Hampton:

Those who voted in the affirmative, are,

Messrs. Able, Anderson, Blockburger, Bowyer, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cloud, Cunningham, Dougherty, Frazer, Hackelton, Hampton, Harreld, Harris, Henry, Hughes, Hunt, Link, McHenry, McGahey, Moore, Murphy, Nunnally, Oliver, Outhouse, Owen, Rowan, Thomas, Thompson, Trower, Tunnel, Vandevanter, Wren, Wyatt and Mr. Speaker—37.

Those who voted in the negative, are,

Messrs. Blackwell, Brown, Dawson, Dubois, Elliott, Ficklin, Fithian, Gordon, Hamlin, Lincoln, Manly, Ross, Stuart and Webb—14.

The question recurring upon the adoption of the second resolution:

It was decided in the affirmative. yeas 35.—nays 15.

The yeas and nays being called for, by

Messrs. Dubois and Manly;

Those who voted in the affirmative, are,

Messrs. Able, Anderson, Blockburger, Bowyer, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cloud, Cunningham, Dawson, Dougherty, Frazer, Hackelton, Hampton, Harreld, Harris, Henry, Hughes, Link, McHenry, McGahey, Murphy, Nunnally, Oliver, Outhouse, Owen, Rowan, Thomas, Thompson, Trower, Tunnel, Vandevanter, Wren, Wyatt and Mr. Speaker—35.

Those who voted in the negative, are,

Messrs. Blackwell, Brown, Butler, Dubois, Elliott, Ficklin, Fithian, Gordon, Hamlin, Hunt, Lincoln, Manly, Moore, Ross, Stuart and Webb—15.

The question then recurring upon the adoption of the third resolution:

It was decided in the affirmative. yeas 46.—nays 5.

The yeas and nays being called for, by

Messrs. Blockburger and McHenry:

Those who voted in the affirmative, are,

Messrs. Able, Anderson, Blockburger, Blackwell, Bowyer, Brown, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cloud, Cunningham, Dawson, Dubois, Dougherty, Frazer, Gordon, Hackelton, Hamlin, Hampton, Harreld, Harris, Henry, Hughes, Hunt, Lincoln, Link, McHenry, McGahey, Manly, Moore, Murphy, Nunnally, Oliver, Outhouse, Owen, Rowan, Stuart, Thomas, Thompson, Trower, Tunnel, Vandevanter, Wren, Wyatt and Mr. Speaker—46.

Those who voted in the negative, are,

Messrs. Elliott, Ficklin, Fithian, Ross and Webb—5.

The question then recurring upon the adoption of the 4th resolution:

It was decided in the affirmative. yeas 43.—nays 8.

The yeas and nays being called for, by

Messrs. Blackwell and Webb:

Those who voted in the affirmative, are,

Messrs. Able, Anderson, Blackwell, Blockburger, Bowyer, Brown, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cloud, Cunningham, Dawson, Dougherty, Dubois, Frazer, Hackelton, Hampton, Harreld, Harris, Henry, Hughes, Hunt, Link, McHenry, McGahey, Manly, Moore, Murphy, Nunnally, Oliver, Outhouse, Owen, Ross, Rowan, Thomas, Thompson, Trower, Tunnel, Vandevanter, Wren, Wyatt and Mr. Speaker—43.

Those who voted in the negative, are,

Messrs. Elliott, Ficklin, Fithian, Gordon, Hamlin, Lincoln, Stuart and Webb—8.

The question then recurring upon the fifth resolution:

It was decided in the affirmative. yeas 29.—nays 22.

The yeas and nays being called for, by

Messrs. Dubois and Harris:

Those who voted in the affirmative, are,

Messrs. Able, Anderson, Blockburger, Bowyer, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cloud, Dawson, Dougherty, Frazer, Hackelton, Hampton, Harris, Hughes,

McHenry, McGahey, Murphy, Nunnally, Oliver, Outhouse, Rowan, Thomas, Thompson, Trower, Vandevanter, Wren, Wyatt and Mr. Speaker—29.

Those who voted in the negative, are,

Messrs. Blackwell, Brown, Butler, Cunningham, Dubois, Elliott, Ficklin, Fithian, Gordon, Hamlin, Harreld, Henry, Hunt, Lincoln, Link, Manly, Moore, Owen, Ross, Stuart, Tunnel and Webb—22.

The question then recurring upon the adoption of the 6th resolution:

It was decided in the affirmative. yeas 44—nays 7.

The yeas and nays being called for by

Messrs. Cloud and Cunningham:

Those who voted in the affirmative, are,

Messrs. Able, Anderson, Blackwell, Blockburger, Bowyer, Brown, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cloud, Cunningham, Dawson, Dougherty, Dubois, Frazer, Huckelton, Hampton, Harreld, Harris, Henry, Hughes, Hunt, Lincoln, Link, McHenry, McGahey, Manly, Moore, Murphy, Nunnally, Oliver, Outhouse, Owen, Rowan, Stuart, Thomas, Thompson, Trower, Tunnel, Vandevanter, Wren, Wyatt and Mr. Speaker—44.

Those who voted in the negative, are,

Messrs. Elliott, Ficklin, Fithian, Gordon, Hamlin, Ross and Webb—7.

The question then recurring upon the adoption of the 7th resolution:

It was decreed in the affirmative. yeas 45—nays 5.

The yeas and nays being called for by

Messrs. McHenry, and Blockburger:

Those who voted in the affirmative, are,

Messrs. Able, Anderson, Blackwell, Blockburger, Bowyer, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cloud, Cunningham, Dawson, Dougherty, Dubois, Fithian, Frazer, Gordon, Hamlin, Huckelton, Harris, Hampton, Harreld, Henry, Hughes, Hunt, Lincoln, Link, Manly, McGahey, McHenry, Murphy, Nunnally, Oliver, Outhouse, Owen, Rowan, Stuart, Thompson, Thomas, Trower, Tunnel, Vandevanter, Wren, Wyatt and Mr. Speaker—45.

Those who voted in the negative, are,

Messrs. Brown, Elliott, Ficklin, Ross and Webb,—5.

The question being then taken upon the adoption of the Preamble to said resolutions,

It was decided in the affirmative. Yeas, 37.—Nays, 14.

The yeas and nays being called for by Messrs. Dubois and Webb,

Those who voted in the affirmative, are,

Messrs. Able, Anderson, Blockbuger, Bowyer, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cloud, Cunningham, Dawson, Dougherty, Frazier, Hackelton, Hampton, Harreld, Harris, Henry, Hughes, Link, M^r Henry, McGahay, Moore, Murphy, Nunnally, Oliver, Outhouse, Owen, Rowan, Thomas, Thompson, Trower, Tunnell, Vandeventer, Wren, Wyatt and Mr. Speaker.—37.

Those who voted in the negative, are,

Messrs. Blackwell, Brown, Dubois, Elliott, Ficklin, Fithian, Gordon, Hamlin, Hant, Lincoln, Maply, Ross, Stuart and Webb.—14.

Ordered, That the Clerk inform the Senate thereof, and ask their concurrence therein.

And then the House adjourned.

SATURDAY, January 10, 1835.

House met pursuant to adjournment.

A Message from the Senate by Mr. White, their Secretary.

“MR. SPEAKER—I am directed to inform the House of Representatives that the Senate have passed bills of the following titles, viz:

“An act allowing appeals in certain cases;”

“An act to amend an act entitled an act relating to Courts of Probate, approved January 2d, 1829;” and

“An act to repeal all laws authorizing the taxing and collecting of the docket fee in any case either at law or in chancery;” in the passage of which, they ask the concurrence of the House of Representatives.”

And then he withdrew.

Mr. Gordon presented the petition of sundry citizens of Morgan county, praying an additional justice's district at Lynnvillle, in said county; and,

On his motion,

The reading thereof was dispensed with, and the same was Referred to the committee on Petitions.

Mr. Hamlin presented the petition of Benjamin Howland and Henry L. Bush, praying the passage of an act, authorizing them to build a mill dam across Fox river;

The reading whereof, was,

On his motion,

Dispensed with, and the same was

Referred to the committee on Petitions.

Mr. Stuart presented the petition of sundry citizens of Sangamon county, praying a change in the state road from Springfield to Alton; and,

On his motion,

The reading thereof was dispensed with, and the same was Referred to the committee on Petitions.

Mr. Hackelton presented the petition of sundry citizens of Knox county, praying the passage of an act authorizing the sale of the 16th section, in township 12 north, range 3 east, in said county; and,

On his motion,

The reading thereof was dispensed with, and the same was Referred to the committee on Education.

Mr. Oliver presented the petition of William Parkers, praying the passage of a law granting to him a pre-emption right to a part of the 16th section, in township 15 south, range 3 east, in Johnson county;

The reading whereof was,

On his motion,

Dispensed with, and the same was

Referred to the committee on Education.

Mr. Henry, from the select committee, to which was referred the petition of sundry citizens of Morgan county, praying an appropriation to improve the Illinois river, reported,

That the committee have had said petition under consideration; that the petition is signed by a number of the most respectable citizens of the county of Morgan, and that the improvement sought to be made, is one of the greatest importance to the whole country, contiguous to the Illinois river. Your committee, taking into consideration the impoverished state of

the Treasury, and the magnitude of the debt, influenced by a sense of public duty, are of opinion that the ordinary resources of the State will not justify appropriations of money for the most necessary works of Internal Improvements. It is therefore, with mingled feelings of regret and sympathy, for the disappointment of the warmly cherished expectations of so respectable a portion of community, that your committee are constrained to report unfavorably to the prayer of their petition.

To accomplish the completion of the Illinois and Michigan Canal, extraordinary means will necessarily have to be employed. This is a work of primary and leading importance—a work in which the inhabitants residing near the Illinois river, no less than the whole State are greatly interested. Your committee therefore believe, that the energies and means of the State ought not to be divided and distracted on other works involving an expenditure of public money, until this of more general and permanent interest shall have been completed.

Your committee therefore ask to be discharged from the further consideration of the petition.

On the question,

Shall the committee be discharged from the further consideration of said petition?

It was decided in the affirmative.

Mr. Murphy, from the select committee, to which was referred the petition of sundry citizens of Franklin county, praying a change in the county line between Franklin and Perry counties; reported a bill, entitled

“An act, to change the county line between Perry and Franklin counties;”

Which was read the first time; and

Ordered to a second reading.

Mr. Dubois, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill, entitled

“An act for the benefit of James Nabb.”

Which was read the first time; and

Ordered to a second reading.

Mr. Ficklin, from the select committee, to which was referred the bill entitled

“An act to amend an act, relative to the improvement of the Great Wabash river, approved Feb. 12th 1833;”

Reported the same back to the House with an amendment;

Which was read; and,

On motion of Mr. Link,
Said bill and proposed amendments, were
Referred to the committee on Finance.

Mr. Dougherty, from the select committee, to which was
referred the bill, entitled

"An act, concerning Estrays;"

Together with the report of the committee of the Whole
House;

Reported the same back to the House, without amendment.

Mr. Webb moved to amend the report of the committee of
the Whole House, by striking out all after the enacting clause,
and insert the following, viz:

"That Justices of the Peace, shall have jurisdiction in all
cases which may arise under the act to which this is an amend-
ment, when the amount does not exceed one hundred dollars.
This act to be in force from and after its passage."

Mr. Gordon called for a division of the question;

The question then being taken on striking out:

It was decided in the negative.

Mr. Ficklin moved to amend the 4th section of the bill, by
striking out all after the word "shall," in the third line, to the
word "and," in the sixth line, and insert

"Be liable to indictment in the circuit court of the proper
county, and on conviction thereof, shall be fined in a sum dou-
ble the value of the property, one half to the owner thereof,
the other half to the county Treasury;"

Which was agreed to.

Mr. Bowyer moved further to amend the 4th section of said
bill, by inserting after the word "bidder," the following:

"On a credit of nine months, the purchaser giving a bond and
approved security, payable to the county court of such county,
where such stray shall have been taken up;"

Which was agreed to.

Mr. Gordon moved to amend the 7th section of said bill, by
inserting after the second line the following, viz:

"May if they think proper." Strike out all after the word,
"said" in the 7th line, to the word "and" in the 11th line;

Which was not agreed to.

On the question,

Will the House concur in the report of the committee of
the Whole House as amended?

Mr. Henry called for a division of the question on striking out the 7th, 8th and 9th sections.

On the question,

Of concurring in the report of the committee of the Whole House, in striking out the 7th, 8th and 9th sections:

Messrs. Hughes and Murphy, called for the yeas and nays; when,

On motion of Mr. Carpenter of Sangamon,

The House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

The question pending before the House, upon its adjournment, on concurring in the report of the committee of the Whole House, by striking out the 7th, 8th and 9th sections of the bill,

And the question being put:

It was decided in the negative. yeas 23.—nays 25.

Those who voted in the affirmative, are,

Messrs. Carpenter of Hamilton, Carpenter of Sangamon, Clark, Dawson, Fithian, Frazer, Hackelton, Hamlin, Harris, Hampton, Hughes, Lincoln, McGahey, Moore, Murphy, Olver, Outhouse, Rowan, Thompson, Tunnel, Vandevanter, White-side and Mr. Speaker—23.

Those who voted in the negative, are,

Messrs. Able, Blackwell, Brown, Bowyer, Butler, Cloud, Cunningham, Dougherty, Dubois, Elliott, Ficklin, Gordon, Harreld, Henry, Link, McHenry, Nunnally, Owen, Ross, Stuart, Thomas, Trower, Webb, Wren, and Wyatt—25.

On the question,

Will the House concur in the report of the committee of the Whole House in their other amendments to the bill?

It was decided in the affirmative.

Mr. Murphy moved to amend the 7th, 8th and 9th sections of said bill, by adding the following, viz:

“Provided, That nothing herein contained, shall be so construed as to compel the county commissioners courts of the

counties of Randolph, Perry, St. Clair, Hamilton, Wayne, Galatin, Schuyler, Montgomery and Peoria, as to comply with the 7th, 8th and 9th sections of this act;”

Which was not agreed to.

Mr. Moore moved to lay said bill and proposed amendments on the table until the 4th day of July next.

The yeas and nays being called for by Messrs McHenry and Wyatt, on this motion:

Those who voted in the affirmative, are,

Messrs. Clark, Hughes, Moore, Murphy and Oliver—5.

Those who voted in the negative, are

Messrs. Able, Blackwell, Brown, Bowyer, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Cloud, Cunningham, Dawson, Dougherty, Dubois, Dunn, Elliott, Ficklin, Fithian, Frazer, Gordon, Hamlin, Hackelton, Harris, Hampton, Harreld, Henry, Lincoln, Link, Mandy, McHenry, McGahey, Nunnally, Outhouse, Owen, Ross, Rowan, Stuart, Thompson, Thomas, Trower, Tunnell, Vandevanter, Whiteside, Webb, Wren, Wyatt and Mr. Speaker—46.

Mr. Rowan moved to strike out the 7th, 8th and 9th sections of said bill, and insert the following, viz.

“SEC. 7. The county commissioners in their respective counties, shall have power in their discretion, to erect stray pens when they think the public good requires it.

SEC. 8. The county courts shall have power where they order stray pens to be erected, to appoint a superintendent or master of such stray pen.

SEC. 9. When such stray pen is erected by order of the county court of any particular county, it shall be the duty of the taker up of any stray horse, mule, or ass, to exhibit the same on the first day of each term of the circuit court, until the same be offered for sale or reclaimed by the owner or proprietor.”

Mr. Gordon called for a division of the question.

The question then being taken upon striking out:

It was decided in the negative.

Mr. Ficklin moved to strike out the penalty in the 7th section of said bill;

Which was not agreed to.

Ordered to be engrossed as amended, for a third reading.

Mr. Butler, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill, entitled

"An act, to amend an act, entitled an act, relative to Wills and Testaments, Executors and Administrators, and the settlement of estates, approved January 23. 1829."

Which was read the first time, and,

Ordered, to a second reading.

Mr. Fithian, in pursuance of previous notice, asked and obtained leave to introduce a bill, entitled

"An act, relating to the Receiver of the Vermillion Saline Reserve, and the commissioner of the Gallatin Saline lands;"

Which was read the first time; and,

Ordered to a second reading.

Mr. Dougherty, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill, for

"An act, to provide for the equitable distribution of the School Fund;"

Which was read the first time; and,

Ordered to a second reading.

On motion of Mr. Wyatt,

The rule of the House was dispensed with, and said bill now read a second time by its title; and,

On motion of Mr. Stuart,

Referred to the committee on Education.

Mr. Lincoln, proposed for adoption the following resolution, viz:

Resolved by the General Assembly of the State of Illinois, That our Senators be instructed, and our Representatives requested to use their whole influence in the Congress, of the United States, to procure the passage of any law relative to the public lands, by the operation of which, the State of Illinois, would be entitled to receive annually, a sum of money not less in amount than 20 per cent upon the amount annually paid into the Treasury of the United States, for public lands lying within the limits of the said State of Illinois.

Resolved, That the Governor of this State be requested to forthwith transmit a copy of these resolutions to each of our Senators and Representatives in Congress.

Mr. Thomas moved to refer said resolutions to a committee of the Whole House and make them the order of the day for Tuesday next;

Which was not agreed to.

On motion of Mr. Ficklin,

Said resolutions were laid upon the table.

On motion of Mr. Hamlin,

Resolved, That the committee on the Judiciary, be instructed to enquire into the expediency of making some provisions to prevent persons from cutting and destroying the timber on the Canal Lands, and that they report by bill or otherwise.

Mr. Trower, in pursuance of previous notice, asked and obtained leave to introduce a bill, entitled

"An act, to change the mode of levying a tax on merchandise."

Which was read the first time; and,

Ordered to a second reading.

Mr. Butler gave notice that on Tuesday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act, concerning county commissioners."

The bill from the Senate, entitled

"An act allowing appeals in certain cases;"

Was read the first time; and,

Ordered to a second reading.

The bill from the Senate, entitled

"An act to amend an act entitled an act relating to Courts of Probate, approved January 2d, 1829;"

Was read the first time; and

Ordered to a second reading.

And then the House adjourned until Monday morning 10 o'clock.

MONDAY, January 12, 1835.

House met pursuant to adjournment.

A Message from the Senate by Mr. White, their Secretary.

"Mr. SPEAKER—I am directed to inform the House of Representatives that the Senate have adopted a preamble and resolutions in relation to the United States Bank—the present Administration, &c.; in the adoption of which, they ask the concurrence of the House of Representatives."

And then he withdrew.

Mr. Henry presented the petition of sundry citizens of Mor-

gan county, praying the passage of an act chartering a company to construct a Rail Road from Jacksonville to Meredosia on the Illinois river;

The reading whereof, was,

On his motion,

Dispensed with, and the same was

Referred to a select committee.

Ordered, That Messrs. Henry, Cloud and Gordon, be that committee.

Mr. Gordon, from the committee on Education, to which was referred the petition of William Parkers, praying a pre-emption right to a part of the 16th section, in township 15 south, range 3 east, in Johnson county, reported:

That the committee on Education, have had said petition under consideration, and are of opinion that the prayer of said petitioner ought not to be granted.

1st. Because the 16th sections were set apart for the support of Common Schools in the several townships, and any legislation which would have a tendency to lessen the amount of the fund to be derived from the sale thereof, would, in the opinion of your committee, be doing injustice to the inhabitants of such Township.

2d. Because your committee cannot recognize the right of individuals to settle on the 16th sections, without authority of law.

3d. Because it does not appear that the persons who signed said petition, are inhabitants of said township; and,

4th. Because William Parkers Sr, for whose benefit the petition was forwarded, has not signed the petition.

Your committee therefore ask to be discharged from the further consideration of the subject.

On the question,

Shall said committee be discharged from the further consideration of said subject?

It was decided in the affirmative.

Mr. Stuart, from the committee on Petitions, to which was referred the petition of sundry citizens of Peoria and Putnam counties, praying the establishment of a certain State road therein named; reported a bill, entitled

"An act, to lay out a State road from Wabash to the Yellow Banks, on the Mississippi river;"

Which was read the first time, and,

Ordered, to a second reading.

Mr. Dunn, from the select committee, to which was referred the bill, entitled

"An act, to change part of the State road leading from Springfield to Peoria;"

Reported the same back to the House with an amendment;

Which was read and concurred in.

Ordered to be engrossed as amended, for a third reading.

A message from the Senate by Mr. White, their Secretary.

"MR SPEAKER—I am directed to inform the House of Representatives, that the Senate have passed a bill of the following title, viz:

"An act, dividing the State into Judicial Circuits;" in the passage of which, they ask the concurrence of the House of Representatives."

And then he withdrew.

Mr. Dubois, from the select committee, to which was referred the petition of sundry citizens of Lawrence county, praying the passage of an act, incorporating the town of Lawrenceville in said county; reported a bill, entitled

"An act to incorporate the town of Lawrenceville;"

Which was read the first time, and

Ordered to a second reading.

On motion of Mr. Carpenter of Hamilton,

The rule of the House was dispensed with, and said bill was now read the second time by its title:

Ordered to be engrossed for a third reading.

The bill from the Senate, entitled

"An act to repeal all laws authorizing the taxing and collecting of the docket fee in any case either at law or in chancery;"

Was read the first time, and,

Ordered to a second reading.

The bill from the Senate, entitled,

"An act, dividing the State into Judicial Circuits;"

Was read the first time, and,

Ordered to a second reading

On motion of Mr. Blockburger,

The rule of the House was dispensed with, and said bill was now read a second time by its title.

Mr. Thomas moved to refer said bill to a committee of the Whole House.

Which was not agreed to.

Ordered to a third reading.

Mr. Cloud presented the petition of Abraham Trumbo, praying the passage of a law, authorizing him to build a mill dam across Fox river in La Salle county;

The reading whereof was,

On his motion,

Dispensed with, and the same was

Referred to a select committee.

Ordered, That Messrs. Cloud, Hamlin and Butler, be that committee.

Mr. Blockburger, gave notice that on Wednesday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act, to authorize the county commissioners' court of Montgomery county, to change a part of the State road leading from Hillsboro' to Slayback's on the Carlinville road."

Mr. Wren proposed for adoption the following resolution, viz:

Resolved, That the committee on Finance, be instructed to enquire into the expediency of so amending the revenue law, as to require each county in this State, to pay all their land tax over five hundred dollars, into the State Treasury."

On motion of Mr. Stuart,

Said resolution was laid upon the table until the 4th day of July next.

Mr. Hamlin, gave notice that on Wednesday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act to amend an act, entitled an act, to authorize William Shaden, to build a mill dam across Fox river."

And also, a bill entitled,

"An act, to alter the corporate powers of the town of Chicago."

The Engrossed bill, entitled

"An act to amend an act, regulating Enclosures;"

Was read the third time, and passed.

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof and ask their concurrence therein.

On motion of Mr. Gordon,

The rule of the House was dispensed with, and the bill, entitled

"An act, to incorporate Mount Carmel in Wabash county;"

Was read the third time by its title; and passed.

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence therein.

The bill, entitled

"An act, to amend an act, declaring what laws of a general nature shall be published, with the acts of a general nature of this session, approved March 2, 1833;"

The bill, entitled

"An act, to change a part of the State road from Vincennes to Chicago;"

The bill, entitled

"An act, to locate a road from Frankfort in Franklin county, via Vienna in Johnson county, to the Ohio river;"

The bill, entitled

"An act to change a part of the State road leading from Hillsboro' to Shelbyville;"

The bill, entitled

"An act, to change a part of the State road leading from Macomb to Havana;"

The bill, entitled

"An act, to provide for building a toll bridge across the Little Calimic;"

Were severally read the second time; and severally

Ordered to be engrossed, for a third reading.

The bill, entitled

"An act, concerning County Surveyors and Clerks."

Was read the second time; and

On motion of Mr. Owen,

Referred to a select committee.

Ordered, That Messrs. Owen, Moore and Hunter, be that committee.

The bill, entitled

"An act, to repeal so much of the law as grants pre-emption rights to settlers on Seminary Lands;"

Was read the second time, and,

On motion of Mr. Wyatt,

Referred to a select committee.

Ordered, That Messrs. Wyatt, Vandevanter and Carpenter of Hamilton, be that committee.

The bill, entitled

"An act, for the benefit of the Sheriff of Union county."

Was read the second time; and,

On motion of Mr. Hughes,
Said bill was referred to a select committee.

Ordered, That Messrs. Hughes, Dougherty and Webb, be that committee.

The bill, entitled

"An act to amend the practice act, of 1827;"

Was read the second time.

Mr. Cloud moved that said bill be referred to the committee of the Whole House.

Mr. Stuart moved to amend said motion, so as to make it a motion to refer said bill to the committee on the Judiciary.

Upon the question,

Shall said motion be so amended, and said bill be referred to the committee on the Judiciary?

It was decided in the affirmative.

The bill, entitled

"An act, for the benefit of the Clerk of the circuit and county commissioners, courts of La Salle county;"

Was read the second time; and,

On motion of Mr. Hamlin,

Said bill was referred to a select committee.

Ordered, That Messrs. Hamlin, Cloud and Hackelton, be that committee.

On motion of Mr. Dawson,

The bill, entitled

"An act, to amend an act, entitled an act, for the organization and government of the militia of this State; in force from and after the 1st July 1833;"

The rule of the House being dispensed with,

Was read the second time by its title; and,

On motion of Mr. Wyatt,

Referred to the committee on the Militia.

The bill, entitled

"An act, changing an appropriation heretofore made to the county commissioners' court of Vermillion county, to the county commissioners' court of Champaigne county."

Was read the second time; and,

On motion of Mr. Rowan,

Referred to a select committee.

Ordered, That Messrs. Rowan, Fithian and Cunningham, be that committee.

The bill, entitled

"An act, to amend the act, requiring persons who petition the General Assembly, to give certain notice, before such petitions are finally acted on."

Was read the second time; and,

On motion of Mr. Stuart,

Referred to a select committee.

Ordered, That Messrs. Stuart, Bowyer and Vandevanter, be that committee.

The bill from the Senate, entitled

"An act, for the benefit of William Allen;"

Was read the second time:

Mr. Dougherty moved to refer said bill to a select committee;

Which was not agreed to.

On motion of Mr. Gordon,

Said bill was referred to the committee on Propositions and Grievances.

Mr. Rowan moved that the rule of the House be dispensed with, and that the bill, entitled

"An act, to incorporate the Jacksonville Female Academy;" be now read the second time by its title.

Which was not agreed to.

Said bill was then read the second time: and,

On motion of Mr. Wyatt,

Referred to a select committee.

Ordered, That Messrs. Wyatt, Henry and Cloud be that committee.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

The bill, entitled

"An act, to change the county line between Perry and Franklin counties;"

Was read the second time; and

Ordered to be engrossed for a third reading.

The bill, entitled

"An act for the benefit of James Nabb."

Was read the second time; and,

On motion of Mr. McGahey,

Referred to a select committee.

Ordered, That Messrs. McGahey, Dubois and Frazer, be that committee.

The bill, entitled

"An act, to amend an act, entitled an act, relative to Wills and Testaments, Executors and Administrators, and the settlement of estates, approved January 23, 1829."

Was read the second time; and,

On motion of Mr. Rowan,

Referred to a select committee.

Ordered, That Messrs. Rowan, Butler and Webb, be that committee.

The bill, entitled

"An act, relating to the Receiver of the Vermillion Saline Reserve, and the commissioner of the Gallatin Saline lands;"

Was read the second time; and,

On motion of Mr. Rowan,

Referred to a select committee.

Ordered, That Messrs. Rowan, Hunter and Fithian, be that committee.

The bill, entitled

"An act, to change the mode of levying a tax on merchandise;"

Was read the second time; and,

On motion of Mr. Dunn,

Referred to a select committee.

Ordered, That Messrs. Dunn, Trower and Link, be that committee.

The bill from the Senate, entitled

"An act allowing appeals in certain cases;"

Was read the second time; and,

On motion of Mr. Stuart,

Referred to the committee on the Judiciary.

The bill from the Senate, entitled,

"An act to amend an act entitled an act relating to Courts of Probate, approved January 2d, 1829;"

Was read the second time; and,

On motion of Mr. Dunn,

Referred to a committee of the Whole House and made the order of the day for Wednesday next.

Mr. Gordon moved that the rule of the House be dispensed with, and that

The Engrossed bill, entitled

"An act, concerning Estrays;"

Be now read the third time by its title;

Which was not agreed to.

Said bill was then read the third time; and,

On motion of Mr. McHenry,

Referred to a select committee of five.

Ordered, That Messrs. McHenry, Bowyer, Elliott, Stuart and Thomas, be that committee.

The preamble and resolutions from the Senate, in relation to the United States Bank, and the present Administration, &c.;

Were read; and,

On motion of Mr. Blockburger,

Laid upon the table.

On motion of Mr. Thomas,

Resolved, That a joint select committee be appointed, to draft and report resolutions, or a memorial to Congress, relative to the location and continuation of the Cumberland road through the State of Illinois."

Ordered, That Messrs. Thomas, Tunnel and Harris, be that committee on the part of the House of Representatives;

Ordered, That the Clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Dunn, from the select committee, to which was referred the Engrossed bill, entitled

"An act, relative to Wills and Testaments;" together with the amendments of the Senate thereto,

Reported the same back to the House, without amendment; and recommended a non-concurrence in the amendment of the Senate thereto.

On the question,

Will the House concur with the Senate, in their amendment to said bill?

It was decided in the negative.

Ordered, That the Clerk inform the Senate thereof.

Mr. Hughes, proposed for adoption the following resolution, viz:

Resolved by the House of Representatives, (the Senate concurring herein,) That both Houses of the General Assembly meet

in the Hall of the House of Representatives, on Wednesday the 14th inst. at the hour of 11 o'clock, A. M. and proceed to elect Judges to preside over the 1st, 2d, 3d, 4th, and 6th judicial circuits of this State; and,

On motion of Mr. Stuart,

Said resolution was laid upon the table.

Mr. Cloud, proposed for adoption the following resolution, viz:

Resolved by the House of Representatives, That the committee on Finance be instructed to enquire into the expediency of so amending the revenue law of this State, so as to require all money or moneys hereafter to be paid into the State Treasury, to be paid in Gold or Silver, or the paper of the State Bank of Illinois or its Branches, or in Auditor's Warrants, or in the notes of the United States Bank.

Mr. Moore moved to lay said resolution upon the table;

Which was not agreed to.

Mr. Gordon moved to amend said resolution, by adding at the end thereof, "or its Branches;"

Which was agreed to. And,

Then the resolution as amended, was adopted.

Mr. Thomas proposed for adoption the following resolution, viz:

Resolved, That the committee on Propositions and Grievances, be instructed to enquire into the expediency of removing the restrictions now imposed by law upon Matrimony, and in order to effect this desirable object, that if they deem it expedient, they report a bill to amend the law concerning Marriages, as to authorize any persons desirous of entering into the holy state of wedlock, to do so without being compelled first to obtain a license for such purpose, from the Clerk of the county commissioners' court.

On motion of Mr. Cunningham,

Said resolution was laid upon the table until the 4th day of July next.

Mr. Blackwell, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill, for

"An act, to repeal an act, to regulate the interest on money, approved February 28, 1833."

Which was read the first time; and,

Ordered to a second reading.

Mr. Wyatt, from the select committee, to which was referred the bill entitled

"An act, to amend an act, to regulate Mills and Millers, approved February 9, 1827;"

Reported the same back to the House with an amendment;
Which was read and concurred in; and,

On motion of Mr. Bowyer,

Referred to a select committee.

Ordered, That Messrs. Bowyer, McHenry and Ficklin, be that committee.

And then the House adjourned.

TUESDAY, *January* 13, 1835.

House met pursuant to adjournment.

A Message from the Senate by Mr. White, their Secretary.

"Mr. SPEAKER—I am directed to inform the House of Representatives that the Senate have concurred with them in the passage of a bill, entitled

"An act, defining the duties of Public Printer, and fixing the time and manner of performing the same," as amended by them, in which amendments, they ask the concurrence of the House of Representatives."

They have passed bills of the following titles, viz:

"An act, to vacate the survey and platt of the town of Venus in Hancock county."

"An act, concerning a State road therein named."

"An act, supplemental to an act, to locate permanently the seat of justice of Alexander county, approved January 18th, 1833;"

"An act, declaring Crooked Creek in Schuyler county, a navigable stream," and,

"An act, to authorize James Kinzie to alter the town plat of Waponsie;" in the passage of which bills, they ask the concurrence of the House of Representatives.

They have concurred with the House of Representatives in the passage of bills of the following titles, viz:

"An act, to change part of the State road leading from Bloomington to Danville;"

"An act, to locate a State road from Bloomington to Chicago;" and

"An act, to regulate the mode of granting license to Clock Pedlars;"

They have also concurred with the House of Representatives, in the passage of a bill, entitled

"An act, to amend an act, entitled an act, prescribing the mode of summoning Grand and Petit jurors, and defining their qualifications and duties, approved Feb. 7th 1827."

As amended by them, in which amendment, they ask the concurrence of the House of Representatives."

They have confirmed the nominations made by the House of Representatives, of William C. Butler for County Surveyor of Warren county, and Ephraim Gilmore for county Surveyor of Mercer county."

And then he withdrew.

Mr. Hunter presented the petition of sundry citizens of Bond county, praying a change in a part of the State road from Greenville to Shelbyville;

The reading whereof, was,

On his motion,

Dispensed with, and the same was

Referred to a select committee.

Ordered, That Messrs. Hunter, Blockburger and Trower, be that committee.

Mr. Manly presented the remonstrance of sundry citizens of Clark county, remonstrating against the removal of the county seat of said county; and,

On his motion,

The reading thereof was dispensed with, and the same was

Referred to the same select committee to which was referred the bill, petitions and remonstrances, relative to said seat of justice.

Mr. Whiteside, from the committee on Finance, to which was referred the resolution relative to the circulation of Bank Bills under 5, 10 and \$20; reported a bill, entitled

"An act, to prevent the circulation of Bank Bills under the denomination of five dollars;"

Which was read the first time, and,
Ordered, to a second reading.

Mr. Cloud, from the committee on Enrolled Bills, reported as correctly enrolled, bills of the following titles, viz:

"An act, to authorize Alexander Kirkpatrick and William Hick, to build a toll bridge across the Saline creek at Equality,"

"An act, to improve the road from Equality, by Crenshaw's works and Cypress creek, to Shawneetown,"

"An act, to amend an act for the limitation of actions, and for avoiding vexatious law suits, approved Feb. 10, 1827,"

"An act, to authorize certain persons therein named, to erect mill dams;"

They also report as correctly enrolled,

Resolutions in relation to alternate sections on the route of the Michigan and Illinois Canal; also,

A preamble and resolutions relative to a grant of land to construct a road from Shawneetown to St. Louis; also,

A preamble and resolutions, asking the passage of a law by Congress, for the relief of Daniel Malone.

Mr. Carpenter of Hamilton, from the committee on Propositions and Grievances, to which was referred the bill from the Senate, entitled

"An act, for the benefit of William Allen;"

Reported the same back to the House without amendment;
Ordered to a third reading.

Mr. Hamlin, from the select committee, to which was referred the bill, entitled

"An act, for the benefit of the Clerk of the circuit and county commissioners, courts of La Salle county;"

Reported the same back to the House with an amendment;
 Which was read and concurred in.

Ordered to be engrossed as amended, for a third reading.

Mr. Gordon, proposed for adoption the following resolution, viz:

Resolved by the House of Representatives, (the Senate concurring herein,) That the General Assembly of this State will adjourn *sine die*, on the ninth day of February next.

Mr. Ficklin moved to amend said resolution, by striking out the word "9th" and inserting the word "1st."

Mr. Blackwell moved to amend the amendment, by striking out all after the word "*Resolved*," and insert

"By the House of Representatives, That no new business will be received into this House, after the 1st February next."

On motion of Mr. Thomas,

Said resolution and proposed amendments, were

Laid upon the table.

Mr. Dunn, from the select committee, to which was referred the bill, entitled

"An act, to provide for the election of County Recorder and Surveyor;"

Reported back to the House a substitute;

Which was read.

Mr. Dunn moved to lay said bill and proposed substitute upon the table until the 4th day of July next.

Mr. Thomas moved to amend said motion so as to make it a motion to lay said bill upon the table;

Which was agreed to.

The question being then taken upon laying said bill upon the table:

It was decided in the negative. Yeas, 14.—Nays 35.

The yeas and nays being called for by

Messrs. Nunnally and Hampton:

Those who voted in the affirmative, are,

Messrs. Blackwell, Bowyer, Clark, Dubois, Dunn, Ficklin, Fithian, Gordon, Hamlin, Henry, Oliver, Thomas, Trower, and Webb—14.

Those who voted in the negative, are,

Messrs. Able, Blockburger, Brown, Carpenter of Hamilton, Carpenter of Sangamon, Cloud, Cunningham, Dawson, Dougherty, Elliott, Frazer, Harris, Hampton, Hughes, Hunt, Hunter, Lincoln, Link, Manly, McGahey, McHenry, Moore, Murphy, Nunnally, Outhouse, Owen, Rowan, Stuart, Thompson, Tunnel, Vandevanter, Whiteside, Wren, Wyatt and Mr. Speaker—35.

The question then recurring upon concurring in the report of the select committee:

It was decided in the affirmative. Yeas 45—Nays 3.

The yeas and nays being called for, by

Messrs. Nunnally and Hampton:

Those who voted in the affirmative, are,

Messrs. Able, Blackwell, Blockburger, Brown, Bowyer, Butler, Carpenter of Sangamon, Clark, Cloud, Cunningham, Dawson, Dougherty, Dunn, Elliott, Ficklin, Fithian, Frazer, Gordon, Hamlin, Hampton, Henry, Hughes, Hunt, Hunter,

Lincoln, Link, Manly, McGahey, McHenry, Moore, Murphy, Nunnally, Oliver, Outhouse, Owen, Rowan, Stuart, Thomas, Tunnell, Vandevanter, Whiteside, Wren, Webb, Wyatt and Mr. Speaker—45.

Those who voted in the negative, are
Messrs. Dubois, Harris, and Trower—3.

Ordered to be engrossed, for a third reading.

Mr. McGahey, from the select committee, to which was referred the bill, entitled,

“An act for the benefit of James Nabb.”

Reported back to the House a substitute;

Which was read and concurred in; and,

Ordered to be engrossed for a third reading.

Mr. Trower, gave notice that on Thursday next, or some day thereafter, he should ask leave to introduce a bill, entitled

“An act, to locate a State road from Shelbyville to the Great Wabash river in Lawrence county, opposite Vincennes in Indiana.”

Mr. Murphy, in pursuance of previous notice, asked and obtained leave to introduce a bill, entitled

“An act, to authorize the county commissioners courts of Perry and Randolph counties to refund certain taxes;”

Which was read the first time; and,

Ordered to a second reading.

Mr. Rowan, from the select committee, to which was referred the bill entitled

“An act, changing an appropriation heretofore made to the county commissioners’ court of Vermillion county, to the county commissioners’ court of Champaigne county.”

Reported the same back to the House, without amendment;

Ordered to be engrossed for a third reading.

Mr. Butler, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill, entitled

“An act, concerning county commissioners.”

Which was read the first time; and,

Ordered to a second reading.

Mr. Thompson, in pursuance of previous notice, asked and obtained leave to introduce a bill, entitled

“An act, in relation to the money heretofore appropriated to the county of Randolph, out of the avails arising from the sale of Gallatin county Saline Lands, to Internal Improvement, approved Feb. 16th, 1831;”

Which was read the first time, and
Ordered to a second reading.

Mr. Hughes proposed for adoption the following resolution,
 viz:

Resolved, That the committee on Finance, be instructed to enquire into the expediency of dividing all taxable lands in this State, in classes of 1st, 2d and 3d rate, agreeable to the first section of the act approved Feb. 19th, 1827, to provide for raising a revenue.

Which was not agreed to.

Mr. Ficklin gave notice that on Friday next, or some day thereafter, he should ask leave to introduce a bill, entitled

“An act, to authorize Ezra Baker, Jr. to erect a mill dam on the Great Wabash river, near Coffee Island.”

Mr. Cloud, proposed for adoption the following resolution,
 viz:

Resolved by the General Assembly of the State of Illinois, That in their opinion, the establishment of a National Bank, properly restricted and guarded in its operations, is necessary to establish a sound and uniform currency in the United States; and also to afford the necessary facilities to the General Government in transporting its funds.

Resolved, That the Governor be requested to forward a copy of the foregoing resolution to the President of the United States, and to each of our Senators and Representatives in Congress.

On motion of Mr. Whiteside,

Said resolutions were referred to the committee of the Whole House, and made the order of the day for Monday next.

The Engrossed bill, entitled

“An act, to change part of the State road leading from Springfield to Peoria;”

Was read the third time and passed.

Mr. Dunn moved to amend the title of said bill, so as to make it

“An act to change part of certain State roads;”

Which was agreed to.

Ordered, That the title of the bill be as amended, that the Clerk inform the Senate thereof, and ask their concurrence therein.

The bill from the Senate, entitled

“An act, dividing the State into Judicial Circuits;”

Was read the third time;

Mr. Blockburger moved to amend said bill by striking ou

Montgomery county in the second judicial circuit, where it occurs, and add it to the first;

Which was not agreed to.

Mr. Blockburger moved to refer said bill to a committee of the Whole House;

Which was not agreed to.

The bill then passed.

Ordered, That the title of said bill be as aforesaid, and that the Clerk inform the Senate thereof.

On motion of Mr. Stuart,

The resolution relative to the election of five Circuit Judges &c., some days since laid upon the table;

Was taken up:

Mr. Thomas moved to amend said resolution, by adding "And also a Public Printer for the ensuing two years;"

Which was agreed to.

Mr. Dawson moved further to amend said resolution, by striking out "11 A. M." and inserting "2 P. M.;"

Which was agreed to.

Mr. Bowyer moved further to amend said resolution, by striking out the 14th inst., and insert in lieu thereof "the 14th day of January, 1900;"

Which was not agreed to.

The resolution as amended, was then adopted.

Ordered, That the Clerk inform the Senate thereof, and ask their concurrence therein.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

Mr. McHenry, from the select committee of five, to which was referred the Engrossed bill, entitled

"An act, concerning Estrays;"

Reported the same back to the House with sundry amendments;

Which were read and concurred in.

The bill then passed.

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof and ask their concurrence therein.

Mr. Thomas moved to re-consider the vote this day taken upon the passage of the bill, entitled

"An act, dividing the State into Judicial Circuits;"

Which was not agreed to.

Mr. Rowan, from the select committee, to which was referred the bill, entitled

"An act, to amend an act, entitled an act, relative to Wills and Testaments, Executors and Administrators, and the settlement of estates, approved January 23, 1829."

Reported the same back to the House with an amendment;

On motion of Mr Butler,

Said bill was referred, together with the proposed amendment, to a select committee.

Ordered, That Messrs. Butler, Ficklin and Blackwell, be that committee.

Mr. Bowyer, gave notice that on Thursday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act, to amend the revenue law, and for other purposes."

The bills, entitled

"An act, to amend an act, declaring what laws of a general nature shall be published, with the acts of a general nature of this session, approved March 2, 1833;"

"An act, to locate a road from Frankfort in Franklin county, via Vienna in Johnson county, to the Ohio river;"

"An act to change a part of the State road leading from Hillsboro' to Shelbyville;" and

"An act, to change the county line between Perry and Franklin counties;"

Were severally read the third time; and passed.

Ordered, That the titles of the bills be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence therein.

The Engrossed bill, entitled

"An act, to change a part of the State road from Vincennes to Chicago;"

Was read the third time, and passed.

Mr. Dubois moved to amend the title of said bill, so as to read, "as lies in Crawford county;"

Which was agreed to.

Ordered, That the title of the bill be as amended, that the

Clerk inform the Senate thereof, and ask their concurrence therein.

The Engrossed bill, entitled

"An act, to change a part of the State road leading from Macomb to Havana;"

Was read the third time.

Mr. Butler moved to amend said bill, by adding the word "William," before the word "Pennington,"

Which was agreed to.

And then the bill passed.

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof and ask their concurrence therein.

The Engrossed bill, entitled

"An act, to provide for building a toll bridge across the Little Calimic;"

Was read the third time; and,

On motion of Mr. Dunn,

Referred to a select committee.

Ordered, That Messrs. Dunn, Hamlin and Harris, be that committee.

The bill, entitled

"An act, to lay out a State road from Wabash to the Yellow Banks, on the Mississippi river;"

Was read the second time; and,

On motion of Mr. Butler,

Referred to a select committee.

Ordered, That Messrs. Butler, Wyatt and Brown, be that committee.

The bill from the Senate, entitled

"An act to repeal all laws authorizing the taxing and collecting of the docket fee in any case either at law or in chancery;"

Was read the second time; and,

On motion of Mr. Webb,

Referred to the same select committee, to which was referred the bills, entitled

"An act, providing compensation for Grand and Petit Jurors," and,

"An act, providing compensation for Grand Jurors."

The bill, entitled

"An act, to repeal an act, to regulate the interest on money, approved February 28, 1833."

Was read the second time; and,

On motion of Mr. Dunn,
Referred to a select committee of five.

Ordered, That Messrs. Dunn, Blackwell, Dougherty, Out-
house and Thomas, be that committee.

On motion of Mr. Dubois,
The rule of the House was dispensed with, and
The Engrossed bill, entitled
"An act to incorporate the town of Lawrenceville;"
Was read the third time by its title; and passed.

Ordered, That the title of the bill be as aforesaid, that the
Clerk inform the Senate thereof, and ask their concurrence
therein.

And then the House adjourned.

WEDNESDAY, *January* 14, 1835.

House met pursuant to adjournment.

Mr. Stuart presented the petition of sundry citizens of
Sangamon county, praying a change in part of the State road
leading from Springfield to Alton;

The reading whereof was,
On his motion,
Dispensed with, and the same was
Referred to the committee on Petitions.

On motion of Mr. Cloud,
The vote taken on yesterday on the passage of the bill, enti-
tled

"An act to amend an act, declaring what laws of a general
nature shall be published with the acts of a general nature of
this session, approved March 2, 1833;"

Was re-considered; and,
On motion of Mr. Cloud,
Said bill was referred to a select committee.

Ordered, That Messrs. Cloud, Clark and Harris, be that
committee.

A message from the Senate, by Mr. Davis, their Assistant
Secretary:

"MR. SPEAKER—I am directed to inform the House of Representatives that the Senate have concurred with them in the passage of a bill, entitled

"An act, to incorporate the Chicago and Vincennes Railroad Company;"

They have also concurred with the House of Representatives, in the adoption of the resolution having for its object the meeting of both branches of the General Assembly in the Hall of the House, on Wednesday 14th inst. at 2 o'clock P. M., for the purpose of electing Judges &c. as amended by them—amended as follows:

"Each member voting for some person for Judge in said Circuit Courts respectively at the same time, by designating on his ticket the name of the candidate voted for in the 1st, 2d, 3d, 4th and 6th circuits;" in which amendment, they ask the concurrence of the House of Representatives."

And then he withdrew.

The amendments of the Senate to the bill entitled,

"An act, defining the duties of Public Printer, and fixing the time and manner of performing the same,"

Were read, considered and concurred in.

Ordered, That the Clerk inform the Senate thereof.

Mr. Owen, from the select committee, to which was referred the bill, entitled

"An act, concerning County Surveyors and Clerks."

Reported the same back to the House with an amendment;

Which was read and concurred in.

Ordered to be Engrossed as amended, for a third reading.

On motion of Mr. Dunn,

The amendment of the Senate to the resolution of this House relative to the election of five Circuit Judges &c.;

Was taken up: considered and concurred in.

Ordered, That the Clerk inform the Senate thereof.

Mr. Hamlin, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill, entitled

"An act, to alter the corporate powers of the town of Chicago."

Which was read the first time; and,

Ordered to a second reading.

On motion of Mr. Carpenter of Hamilton,

The rule of the House was dispensed with, and said bill now read a second time by its title; and,

Ordered to be engrossed for a third reading.

The bill from the Senate, entitled
 "An act, for the benefit of William Allen;"
 Was read the third time and passed.

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof.

The Engrossed bill, entitled

"An act, for the benefit of the Clerk of the circuit and county commissioners, courts of La Salle county;"

Was read the third time, and passed.

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof and ask their concurrence therein.

The Engrossed bill, entitled

"An act for the relief of James Nabb."

Was read the third time; and passed.

Mr. Webb moved to amend the title of said bill, so as to make it

"An act, further to amend an act, to authorize James Nabb, to build a toll bridge across the Embarrass river;"

Which was agreed to.

Ordered, That the title of the bill be as amended, that the Clerk inform the Senate thereof, and ask their concurrence therein.

The Engrossed bill, entitled

"An act, changing an appropriation heretofore made to the county commissioners' court of Vermillion county, to the county commissioners' court of Champaigne county."

Was read the third time; and,

On motion of Mr. Gregory,

Referred to a select committee.

Ordered, That Messrs. Gregory, Tunnel and Elliott, be that committee.

The bill, entitled

"An act, to prevent the circulation of Bank Bills under the denomination of five dollars;"

Was read the second time;

Mr. Thomas moved to refer said bill to the committee on the Judiciary;

Which was not agreed to.

Mr. Thomas moved to amend said bill by inserting in the first section, after the word "publish," the following, viz:

"Within the limits of this State." And after the word "shall"

in the 1st line in the 1st section, the words "knowingly and wilfully;"

Which was not agreed to.

Ordered to be engrossed for a third reading.

Mr. Gordon moved that the House adjourn until 2 o'clock P. M.

Which was not agreed to.

The bill, entitled

"An act, to authorize the county commissioners courts of Perry and Randolph counties to refund certain taxes;"

Was read the second time; and,

Ordered to be engrossed for a third reading.

The bill, entitled

"An act, concerning county commissioners."

Was read the second time:

Mr. Wyatt, moved to refer said bill to a committee of the Whole House, and make it the order of the day for Saturday next;

Which was not agreed to. And,

On motion of Mr. Link,

Referred to a select committee.

Ordered, That Messrs. Link, Butler and Wyatt, be that committee.

Mr. Frazer gave notice that on Friday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act, to amend an act, relative to criminal jurisprudence, approved February 25, 1833."

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

On motion of Mr. Nunnally,

Resolved by the House of Representatives, (the Senate concurring herein,) That a joint select committee of three members of the House and two of the Senate be appointed to draft a memorial to Congress, to instruct our Senators and request our Representatives to use their influence in the passage of a law

to allow the laborers on the National road in this State, a better compensation, as an inducement for a more general attendance, for the purpose of expediting the improvement and accomplishment of said road.

Ordered, That Messrs. Nunnally, Blackwell and Cunningham, be that committee on the part of the House of Representatives; and further—

Ordered, That the Clerk inform the Senate thereof, and ask their concurrence therein.

The Senate, preceded by their Speaker *pro tempore*, appeared in the Hall of the House of Representatives, in pursuance of a joint resolution, for the purpose of electing five Judges to preside over the 1st, 2d, 3d, 4th, and 6th Judicial Circuits in this State, &c.

Messrs. Maxwell of the Senate, and Whiteside of the House of Representatives, were appointed tellers.

The two Houses then proceeded to ballot for five Judges, and upon examination it appeared, that

Stephen T. Logan, received 46 votes; and James Turney, 31 votes for Judge of the first Judicial circuit; scattering two.

Sidney Breese, received 74 votes for Judge of the second Judicial circuit; scattering five.

Henry Eddy, received 79 votes for Judge of the third Judicial circuit; scattering two.

Justin Harlin, received 43 votes; and John Pearson 36 votes for Judge of the 4th Judicial circuit; scattering one.

Thomas Ford, received 78 votes for Judge of the sixth Judicial circuit; scattering two.

Stephen T. Logan, Sidney Breese, Henry Eddy, Justin Harlin and Thomas Ford, having received a majority of all the given, for Judges in the several circuits before mentioned respectively, were declared by the Speaker of the House of Representatives, duly elected Judges of those respective Circuit Courts in the State of Illinois.

The two Houses then proceeded to the election of Public Printer; when,

John Y. Sawyer, received 53 votes; M. Greiner 26 votes; and — Francis, one vote for that office.

Mr. Sawyer having received a majority of all the votes given, was declared by the Speaker of the House of Representatives, duly elected Public Printer &c.

Those who voted for Mr. Sawyer, are,
 Messrs. Craig, Davidson, Edwards, Forquer, Gatewood,
 Hacker, Jones, Lane, Mills, McGahey, Noel, Rattan, Stephen-
 son, Vance, Whiteside, Will and Williams of the Senate; and,
 Messrs. Able, Anderson, Blackwell, Blockburger, Brown,
 Butler, Carpenter of Hamilton, Carpenter of Sangamon, Clark,
 Cunningham, Dougherty, Dubois, Elliott, Ficklin, Fithian, Fra-
 zer, Gregory, Hackelton, Hamlin, Harris, Henry, Link, Manly,
 Murphy, Nunnally, Owen, Ross, Rowan, Stuart, Thomas, Trow-
 er, Tunnel, Vandevanter, Webb and Mr. Speaker of the
 House of Representatives.

Those who voted for Mr. Greiner, are,
 Messrs. Bond, Maxwell, Mitchell, Snyder, Taylor, Thomas,
 and Williamson of the Senate; and,
 Messrs. Bowyer, Cloud, Dawson, Gordon, Harreld, Hamp-
 ton, Hughes, Hunt, Hunter, Lincoln, Moore, McGahey, Mc-
 Henry, Oliver, Outhouse, Whiteside, Wren, and Wyatt of the
 House of Representatives.

Mr. Mather of the Senate, voted for Mr. Francis.

The Senate withdrew.

And then the House adjourned.

THURSDAY, January 15, 1835.

House met pursuant to adjournment.

A message from the Senate by Mr. Davis, their Assistant Secretary.

"MR. SPEAKER—I am directed to inform the House of Rep-
 resentatives, that the Senate adhere to their amendment to the
 bill from the House of Representatives, entitled

"An act, supplemental to an act, entitled an act, relative to
 Wills and Testaments."

They have concurred with the House of Representatives in
 the adoption of the resolution, having for its object the appoint-
 ment of a joint select committee to draft and report resolutions
 &c. in relation to the continuation of the Cumberland road, and
 have appointed

Messrs. Edwards and Gatewood, the committee on their part."

And then he withdrew.

A message from the Council of Revision, by Mr. Brown their Secretary.

"Mr. SPEAKER—The Council of Revision, have approved bills of the following titles, viz:

"An act, to authorize Alexander Kirkpatrick and William Hick, to build a toll bridge across the Saline creek at Equality,"

"An act, to authorize certain persons therein named, to erect mill dams;"

"An act, to improve the road from Equality, by Crenshaw's works and Cypress creek, to Shawneetown,"

And then he withdrew.

Mr. Whiteside, from the committee on Finance, to which was referred a resolution of this House, in relation to the School Fund in deposite in the Branch of the United States Bank at St. Louis; reported a bill, entitled

"An act, concerning the School Fund;"

Which was read the first time, and

Ordered to a second reading.

Mr. Nunnally presented the petition of Aurelia Hotchkiss, and other citizens of Edgar county, praying that Aurelia Hotchkiss may have leave to exchange certain lands;

The reading whereof, was,

On his motion,

Dispensed with, and the same was

Referred to a select committee.

Ordered, That Messrs. Nunnally, Murphy and Outhouse, be that committee.

Mr. Butler, from the select committee, to which was referred the bill entitled

"An act, to lay out a State road from Wabash to the Yellow Banks, on the Mississippi river;"

Reported the same back to the House with an amendment;

Which was read and concurred in.

Ordered to be engrossed as amended, for a third reading.

Mr. Whiteside, from the committee on Finance, to which was referred the bill, entitled

"An act to amend an act, relative to the improvement of the Great Wabash river, approved Feb. 12th 1833;"

Reported the same back to the house with sundry amendments

Which were read and concurred in.

Ordered to be engrossed as amended, for a third reading.

The bills from the Senate, entitled,

"An act, to vacate the survey and plat of the town of Venus in Hancock county."

"An act, concerning a State road therein named."

"An act, supplemental to an act, to locate permanently the seat of justice of Alexander county, approved January 18th, 1833;"

"An act, declaring Crooked Creek in Schuyler county, a navigable stream," and,

"An act, to authorize James Kinzie to alter the town plat of the town of Wabonsie;"

Were severally read the first time, and,

Ordered to a second reading.

On motion of Mr. Owen,

The rule of the House was dispensed with, and the bill, entitled

"An act, concerning a State road therein named;"

Was read the second time by its title; and,

On the further motion of Mr. Owen,

Referred to a select committee.

Ordered, That Messrs. Owen, Oliver and Able, be that committee.

On motion of Mr. Hamlin,

The rule of the House was dispensed with, and the bill, entitled

"An act, declaring Crooked Creek in Schuyler county, a navigable stream,"

Was now read the second time by its title; and,

On motion of Mr Vandevanter,

Referred to a select committee.

Ordered, That Messrs. Vandevanter, Tunnel and Wren, be that committee.

The amendments of the Senate to the bill, entitled

"An act, to amend an act, entitled an act, prescribing the mode of summoning Grand and Petit jurors, and defining their qualifications and duties, approved Feb. 7th 1827."

Were read and concurred in.

Ordered, That the Clerk inform the Senate thereof.

The amendment of the Senate to the bill from the House of Representatives, entitled

“An act, supplemental to an act, entitled an act, relative to Wills and Testaments,”

Being read:

On the question,

Will the House recede from their vote of non-concurrence in the amendment of the Senate to said bill?

It was decided in the negative.

Ordered, That the Clerk inform the Senate.

Mr. Link moved that a committee of conference be appointed on the part of the House, to act with such committee as may be appointed on the part of the Senate, on the disagreeing vote of the two Houses on the amendment of the Senate to said bill;

Which was agreed to.

Ordered, That Messrs. Link, Rowan and Stuart, be that committee on the part of the House, that the Clerk inform the Senate thereof, and ask a committee of conference on their part.

Mr. Cloud, from the select committee, to which was referred the Engrossed bill, entitled

“An act, to amend an act, declaring what laws of a general nature shall be published, with the acts of a general nature of this session, approved March 2, 1833;”

Reported the same back to the House with sundry amendments;

Which were read and concurred in;

The bill as amended, then passed.

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof and ask their concurrence therein.

Mr. Link, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill, entitled

“An act, in relation to Judges of Probate courts;”

Which was read the first time; and

Ordered to a second reading.

Mr. Hughes, proposed for adoption the following resolution, viz:

Resolved by the House of Representatives, (the Senate concurring herein,) That a joint select committee of six from the House of Representatives, and three from the Senate, be appointed to report a bill for

“An act, to regulate the times of holding circuit courts in the

several counties in this State, and also regulating the salaries of the several circuit Judges."

Mr. Gordon moved to amend said resolution, by adding after the word "state," the words "and also the Supreme court."

Mr. Ficklin moved to amend said amendment, by striking out the word "six and three," and inserting "twelve and six;"

Which was agreed to.

The question then recurring upon the amendment proposed by Mr. Gordon as amended;

Which was agreed to.

The resolution as amended, was then adopted.

Ordered, That Messrs. Hughes, Thomas, Dougherty, Rowan, Ficklin, McGahey, Wyatt, Stuart, Owen, Ross, Hamlin and Butler, be that committee on the part of the House, that the Clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Link gave notice that he should, on Monday next, or some day thereafter, ask leave to introduce a bill, entitled "An act, to provide for the establishing of additional justices districts in Greene county."

Mr. Wyatt, gave notice that on Saturday next, or some day thereafter, he should ask leave to introduce a bill, entitled "An act, to repeal an act of the General Assembly therein named."

Mr. Manly gave notice that on Monday next, or some day thereafter, he should ask leave to introduce a bill, entitled "An act, to regulate the interest on money."

On motion of Mr. Hughes,

Resolved, That the committee on Internal Improvements, be instructed to enquire into the expediency of incorporating a company to locate and establish a Rail Road from the Bank of the Mississippi river, opposite St. Louis, to the coal mines in St. Clair county; and that they report by bill or otherwise.

The Engrossed bills, entitled

"An act, to provide for the election of County Recorders and Surveyors;"

"An act, to prevent the circulation of Bank Bills under the denomination of five dollars;" and,

"An act, to authorize the county commissioners courts of Perry and Randolph counties to refund certain taxes;"

Were severally read the third time; and passed.

Ordered, That the titles of the bills be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence therein.

The Engrossed bill, entitled

"An act, concerning County Surveyors and Clerks."

Was read the third time; and,

On motion of Mr. Tunnel,

Referred to a select committee.

Ordered, That Messrs. Tunnel, Moore and Hunter, be that committee.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

The bill, entitled

"An act, in relation to the money heretofore appropriated to the county of Randolph, out of the avails arising from the sale of Gallatin county Saline Lands, to Internal Improvement, approved Feb. 16th, 1831;"

Was read the second time; and,

Ordered, to be engrossed for a third reading.

Mr. Rowan, in pursuance of previous notice, asked and obtained leave to introduce a bill, entitled

"An act, concerning the 16th section in Equality township, Gallatin county;"

Which was read the first time; and

Ordered to a second reading.

Mr. Thomas, from the committee on the Penitentiary, who were instructed by resolutions, to enquire into the expediency of authorizing the Governor to lease or farm out the Penitentiary, reported:

That they have had that matter under consideration, and directed him to report:—

That it is the opinion of the committee after a full examination of the subject, that although the system of leasing State Prisons has its decided advantages, a resort to that system in this State, at this time, would be premature and inexpedient.

The infancy of the institution—the small number of convicts now confined within it—the shortness of the period for which they are respectively confined, and the uncertainty of an increase in their numbers, would all combine to prevent any person from contracting to pay any thing to the State for the use of the penitentiary and the hire of the convicts; and it is feared that in addition to the profits derived from the use of the Penitentiary &c., a salary might be required by the contractor to keep it. For these reasons, it is thought advisable to continue our present system, and paying a fixed salary to the Warden, to reserve to the State, all the profits arising from the institution by the labor of the convicts or otherwise.

The committee therefore pray to be discharged from the further consideration of the subject.

On the question,

Shall said committee be discharged from the further consideration of said subject?

It was decided in the affirmative.

Mr. Thomas from the same committee, to which was referred the report of the Inspectors of the Penitentiary, and sundry resolutions instructing them to report a bill providing for the election of Warden, defining his duties &c.; reported a bill, entitled

"An act, to amend an act, entitled an an act to regulate the Penitentiary, approved February 19, 1833;"

Which was read the first time, and,

Ordered, to a second reading.

On motion of Mr. Whiteside,

The rule of the House was dispensed with, and said bill

Was now read the second time by its title; and,

On the further motion of Mr. Whiteside,

Referred to a select committee.

Ordered, That Messrs. Whiteside, Thomas and Link, be that committee.

Mr. Blockburger, in pursuance of previous notice, asked and obtained leave to introduce a bill, entitled

"An act, to authorize the county commissioners' court of Montgomery county, to change a certain State road therein named;"

Which was read the first time; and,

Ordered to a second reading.

On motion of Mr. Blockburger,
The rule of the House was dispensed with, and the same
Was now read the second time by its title.

Ordered to be engrossed for a third reading.

Mr. Gordon gave notice that on Monday next, or some day
thereafter, he should ask leave to introduce a bill, entitled

"An act, to amend the law in relation to the election of Jus-
tices of the Peace, and Constables, approved December 30th
1826."

And then the House adjourned.

FRIDAY, January 16, 1835.

House met pursuant to adjournment.

A message from the Senate by Mr. Davis, their Assistant
Secretary.

"MR. SPEAKER—I am directed to inform the House of Rep-
resentatives, that the Senate have laid upon the table until the
4th day of July next, the resolution from the House of Repre-
sentatives, having for its object the appointment of a joint select
committee to draft a memorial to Congress, relative to the com-
pensation of laborers on the Cumberland road, &c.

They have adopted the following resolution, viz:

Resolved by the Senate and House of Representatives, That a
joint select committee be appointed, consisting of one member
of the Senate and two of the House of Representatives, of
each judicial circuit of this State, fixing the time of holding the
courts in the respective judicial circuits, and fixing the salaries
of the circuit judges; and have appointed

Messrs. Hacker, Ewing, Davidson, Thomas, Maxwell and
Stephenson, the committee on their part; in the adoption of
which, they ask the concurrence of the House of Representa-
tives.

They have concurred with the House of Representatives in
the passage of a bill, entitled

"An act, to locate and establish a State road therein named,"

as amended by them, in which amendment, they ask the concurrence of the House of Representatives."

They have also concurred with the House of Representatives, in the passage of a bill, entitled

"An act, for the benefit of the people of White county."

They have passed a bill of the following title, viz:

"An act, for the benefit of Robert Ritchey;" in the passage of which, they ask the concurrence of the House of Representatives.

They have indefinitely postponed the bill from the House of Representatives, entitled

"An act, for the benefit of the heirs and legatees of Curtis Blakeman, Sr., deceased;"

And then he withdrew.

Mr. Cloud, from the committee on Enrolled bills, reported: That they did, on the 13, inst., lay before the Council of Revision, bills of the following titles, viz:

"An act, to authorize certain persons therein named, to erect mill dams;"

"An act, to amend an act for the limitation of actions, and for avoiding vexatious law suits, approved Feb. 10, 1827,"

"An act, to improve the road from Equality, by Crenshaw's works and Cypress creek, to Shawneetown,"

"An act, to authorize Alexander Kirkpatrick and William Hick, to build a toll bridge across the Saline creek at Equality,"

They have also laid before the Governor,

Resolutions in relation to the alternate sections on the route of the Michigan and Illinois Canal; also,

A preamble and resolutions, praying the passage of a law by Congress, for the relief of Daniel Malone; also,

A preamble and resolutions, relative to a grant of land, to aid in the construction of a road from Shawneetown to St. Louis."

Mr. Moore, presented the petition of Rene Paul;

The reading whereof, was,

On his motion,

Dispensed with, and the same was

Referred to the committee on Petitions.

Mr. Anderson presented the petition of sundry citizens of Jefferson county, praying a certain State road therein named;

The reading whereof was,

On his motion,

Dispensed with, and the same was

Referred to a select committee.

Ordered, That Messrs. Anderson, Bowyer and Clark, be that committee.

Mr. Gordon, from the committee on Education, to which was referred the resolution of this House, in relation to the census; reported a bill, entitled

"An act to amend an act, entitled an act to provide for taking the census or enumeration of the inhabitants of the State, approved January 13th, 1829;"

Which was read the first time; and,

Ordered to a second reading.

Mr. Cloud, from the committee on Enrolled Bills, reported as correctly enrolled, bills of the following titles, viz:

"An act, dividing the State into Judicial Circuits;"

"An act to amend an act, entitled an act, to locate a State road from Quincy in Adams county, to Macomb in McDonough county, approved February 12, 1833,"

"An act, to incorporate the Chicago and Vincennes Railroad Company;"

"An act, regulating the mode of granting license to Clock Pedlars;"

"An act, for the benefit of William Allen."

Mr. Hunter, from the select committee, to which was referred the petition of sundry citizens of Bond county, praying a change in a part of the State road from Greenville to Shelbyville; reported a bill, entitled

"An act, to change a part of the State road leading from Greenville to Vandalia;"

Which was read the first time, and

Ordered to a second reading.

Mr. Nunnally, from the select committee, to which was referred the petition of Aurelia Hotchkiss and other citizens of Edgar county, praying the passage of an act to authorize said Aurelia Hotchkiss, to sell or exchange certain land therein named; reported a bill, entitled

"An act to authorize Aurelia Hotchkiss, to sell or exchange a certain tract of land;"

Which was read the first time; and,

Ordered a to second reading.

Mr. Bowyer, from the select committee, to which was referred the bill entitled

"An act, to amend an act, to regulate Mills and Millers, approved February 9, 1827;"

Reported the same back to the House with sundry amendments;

Which were read and concurred in.

Mr. Rowan moved to amend said bill, by inserting after the word "waggon" the words "and also the grain that may come in boats and canoes;"

Which was agreed to.

Mr. Carpenter of Hamilton moved to amend, by striking out the second section.

Mr. McHenry moved to amend, so as to strike out all after the enacting clause, and insert the following as a substitute, viz:

"SEC. 1. That hereafter, no owner or occupier of a public mill in the county of White, shall be held accountable for the safe keeping of any grain received in his mill to be ground, or for the bags or casks containing the same, unless said bags or casks containing the same shall be distinctly marked with the initial letter of the owner's Christian name, and his surname in full; any thing in former laws to the contrary notwithstanding.

SEC. 2. It shall be the duty of any owner or occupier of any public mill in the said county of White, to unload and load all such grain as shall be brought to him on horseback to be ground, and he shall assist in unloading and loading all grain brought in carriages or waggon for the same purpose; and for a failure to do so, shall forfeit and pay any sum not exceeding ten dollars for each offence, to be recovered before any Justice of the Peace in said county, in the name and to the use of any person who will sue for the same.

This act to be in force from and after the first day of June next."

Mr. Bowyer called for a division of the question.

The question being then taken on striking out?

It was decided in the affirmative.

The question being then taken on inserting said substitute as an amendment?

It was decided in the affirmative.

Mr. Webb moved to amend said bill, by adding the following, viz:

"SEC. 3. Justices of the Peace in their respective counties shall have jurisdiction when the amount does not exceed one hundred dollars in all cases of penalties arising under the act, entitled

"An act, regulating Mills and Millers, approved February 9, 1827."

Mr. Hampton moved to amend the amendment, by adding in the first section, after the word "White," the words "and also Gallatin county."

On motion of Mr. Moore,

Said bill and proposed amendments were referred to a select committee of five.

Ordered, That Messrs. Moore, McHenry, Lincoln, Hunt and Hampton, be that committee.

Mr. Tunnel, from the select committee, to which was referred the bill, entitled •

"An act, concerning County Surveyors and Clerks."

Reported the same back to the House without amendment; The bill then passed.

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Frazer, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill, entitled

"An act, to amend an act, relative to criminal jurisprudence, approved February 25, 1833."

Which was read the first time, and,

Ordered, to a second reading.

Mr. Ficklin, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill, entitled

"An act, to authorize Ezra Baker, Jr. to erect a mill dam on the Great Wabash river, near Coffee Island."

Which was read the first time, and,

Ordered to a second reading.

Mr. Nunnally, in pursuance of previous notice, asked and obtained leave to introduce a bill, entitled

"An act, to amend an act, relative to criminal jurisprudence, approved Feb. 26, 1833;"

Which was read the first time; and,

Ordered to a second reading.

On motion of Mr. Ross,

Resolved by the House of Representatives, That the Auditor of Public Accounts, be required to report to this House the amount

of non-resident land tax paid into the State Treasury for the year 1834, and previous to his making out the list of delinquent landholders for the same year, as required by law.

Be it further resolved, That said Auditor report to this House the amount which all the Sheriffs of this State will receive as their compensations for collecting the land tax for the year 1834, agreeable to the abstracts returned to his office for the same year.

Mr. Moore gave notice that on Monday next, or someday thereafter, he should ask leave to introduce a bill, entitled
 "An act, concerning the revenue of counties."

Mr. Ficklin, presented the petition of Jolin Hunter, and other citizens of Wabash county;

The reading whereof, was,

On his motion,

Dispensed with, and the same was

Referred to the committee on Petitions.

Mr. Bowyer, from the select committee, to which was referred the bill, entitled

"An act, to amend the act, requiring persons who petition the General Assembly, to give certain notice, before such petitions are finally acted on."

Reported the same back to the House with an amendment; and,

On motion of Mr. Thomas,

Said bill was referred together with the proposed amendment, to the committee on Propositions and Grievances.

Mr. Wyatt, gave notice that on Monday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act, to authorize the county commissioners court of Morgan county, to investigate a certain claim therein expressed."

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

Mr. Gregory, from the select committee, to which was referred the bill entitled

“An act, changing an appropriation heretofore made to the county commissioners’ court of Vermillion county, to the county commissioners’ court of Champaigne county.”

Reported the same back to the House with sundry amendments;

Which were read and concurred in.

The amendment of the Senate, to the bill entitled,

“An act, to locate and establish a State road therein named,”

Was read and concurred in.

Ordered, That the Clerk inform the Senate thereof.

The bill from the Senate, entitled

“An act, for the benefit of Robert Ritchey;”

Was read the first time; and

Ordered to a second reading.

Mr. Cloud gave notice that on Monday next, or some day thereafter, he should ask leave to introduce a bill, entitled

“An act to establish the county line between the counties of Morgan and Sangamon.”

Mr. Wyatt, from the select committee, to which was referred the bill entitled

“An act, to incorporate the Jacksonville Female Academy;”

Reported the same back to the House, without amendment;

On the question,

Shall said bill be engrossed and read a third time?

It was decided in the affirmative. Yeas, 34.—Nays 15.

The yeas and nays being called for by

Messrs. Nunnally and Henry:

Those who voted in the affirmative, are,

Messrs. Able, Blackwell, Brown, Butler, Clark, Cloud, Dougherty, Dubois, Dunn, Elliott, Ficklin, Fithian, Frazer, Gordon, Hackelton, Hamlin, Harreld, Henry, Hunt, Lincoln, Link, Manly, McHenry, Murphy, Ross, Rowan, Stuart, Thomas, Thompson, Vandevanter, Whiteside, Webb, Wren and Mr. Speaker—34.

Those who voted in the negative, are,

Messrs. Anderson, Blockburger, Carpenter of Hamilton, Carpenter of Sangamon, Cunningham, Dawson, Harris, Hampton, Hunter, McGahey, Nunnally, Oliver, Owen and Wyatt—15.

The resolution from the Senate, having for its object the appointment of a joint select committee, to fix the times of holding circuit courts, and the salaries of the circuit Judges &c.;

Was read; and,

On motion of Mr. Thomas,
Laid upon the table.

The Engrossed bills, entitled

"An act, to lay out a State road from Wabash to the Yellow Banks, on the Mississippi river;"

"An act to amend an act, relative to the improvement of the Great Wabash river, approved Feb. 12th 1833;"

"An act, in relation to the money heretofore appropriated to the county of Randolph, out of the avails arising from the sale of Gallatin county Saline Lands, to Internal Improvement, approved Feb. 16th, 1831;" and,

"An act, to authorize the county commissioners' court of Montgomery county, to change a certain State road therein named;"

Were severally read the third time; and passed.

Ordered, That the titles of the bills be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence therein.

The bill, entitled

"An act, concerning the School Fund;"

Was read the second time; and,

On motion of Mr. Dougherty,

Referred to a select committee.

Ordered, That Messrs. Dougherty, Gordon and Gregory, be that committee.

The bill from the Senate, entitled

"An act, to vacate the survey and plat of the town of Venus in Hancock county."

Was read the second time; and,

On motion of Mr. Owen,

Referred to a select committee.

Ordered, That Messrs. Owen, Hackelton and Butler, be that committee.

The bill from the Senate, entitled,

"An act, supplemental to an act, to locate permanently the seat of justice of Alexander county, approved January 18th, 1833;"

Was read the second time; and,

On motion of Mr. Rowan,

Referred to a select committee.

Ordered, That Messrs. Rowan, Able and Dougherty, be that committee.

The bill from the Senate, entitled

"An act, to authorize James Kinzie to alter the town plat of the town of Wabonsie;"

Was read the second time; and,

On motion of Mr. Hamlin,

Referred to a select committee.

Ordered, That Messrs. Hamlin, Hackelton and Vandevanter, be that committee.

The bill, entitled

"An act, in relation to Judges of Probate courts;"

Was read the second time, and,

On motion of Mr. Link,

Referred to the committee on the Judiciary.

The bill, entitled

"An act, concerning the 16th section in Equality township, Gallatin county;"

Was read the second time; and,

On motion of Mr. Whiteside,

Referred to a select committee.

Ordered, That Messrs. Whiteside, Rowan and Hampton, be that committee.

Mr. Ficklin gave notice that he should, on Monday next, or some day thereafter, ask leave to introduce a bill, entitled

"An act to amend an act, entitled an act to incorporate the Wabash navigation company."

On motion of Mr. Hunter,

The House now resolved itself into a committee of the Whole House to take into consideration the bill from the Senate, entitled

"An act to amend an act, entitled an act, relating to Courts of Probate, approved January 2, 1829;"

Mr. Whiteside in the Chair:

And after some time spent therein:

Mr. Speaker resumed the Chair; and,

Mr. Whiteside reported, That the committee of the Whole House have, according to order, had said bill under consideration and directed him to report the same back to the House without amendment.

On motion of Mr. Dougherty,

Said bill was referred to the committee on the Judiciary.

A Message from the Governor by Mr. Bradly.

"Mr. SPEAKER,—I am directed by the Governor to lay before the House of Representatives, a written communication."

And then he withdrew.

Mr. Speaker laid before the House, the communication from the Governor just received; which is as follows, viz:

EXECUTIVE DEPARTMENT, }
Vandalia, January 16, 1835. }

To the Hon. the SPEAKER of the House of Representatives:

SIR:—I beg leave to inform the House of Representatives, that the office of County Surveyor has become vacant in the county of Macoupin.

I have the honor to be,
Your ob't serv't,
JOSEPH DUNCAN.

Which was read; and,
On motion of Mr. Dubois,
Laid upon the table.

Mr. Hampton, proposed for adoption the following resolution, viz:

Resolved by the House of Representatives, (the Senate concurring herein,) That no new business will be received in either branch of the General Assembly, after the first day of February next.

Which was not agreed to.

And then the House adjourned.

SATURDAY, January 17, 1835.

House met pursuant to adjournment.

A Message from the Governor by A. P. Field, Secretary of State.

"Mr. SPEAKER—I am directed by the Governor to present to the House of Representatives a written communication."

And then he withdrew.

Mr. Hamlin presented the petition of Lewis Bailey, relative to certain claims therein named; and,

On his motion,

The reading thereof was dispensed with, and the same
Referred to the committee on Petitions.

Mr. Lincoln presented the petition of sundry citizens of the
counties of Sangamon, Morgan and Tazewell, praying the
organization of a new county out of said counties &c.; and,

On his motion,

The reading thereof was dispensed with, and the same
Referred to the committee on Petitions.

Mr. Owen presented the petition of sundry citizens of Schuy-
ler county, in relation to the State road from Rushville to
Carthage;

The reading whereof was,

On his motion,

Dispensed with, and the same was

Referred to the same select committee to which was referred
the bill from the Senate, entitled

“An act, concerning a State road therein named;”

Mr. Oliver presented the petition of Hezekiah West, pray-
ing that the Legislature would adopt a memorial to Congress,
instructing our Senators and requesting our Representatives,
to use their exertions to place him upon the pension roll; and,

On his motion,

The reading thereof was dispensed with, and the same
Referred to a select committee.

Ordered, That Messrs. Oliver, Dougherty and Hunt, be that
committee.

A message from the Senate by Mr. Davis, their Assistant
Secretary.

“MR. SPEAKER—I am directed to inform the House of Rep-
resentatives, that the Senate have adopted a preamble and
resolution, requesting our Senators and Representatives in Con-
gress to procure the passage of a law granting to the county of
St. Clair, one hundred and sixty acres of land of the Cahokia
and Prairie du Pont commons; in the adoption of which, they
ask the concurrence of the House of Representatives.

They have concurred with the House of Representatives in
the adoption of the preamble and resolution from the House of
Representatives, in relation to the Seminary fund, as amended
by them; amended as follows:

Strike out after the word “schools” in the resolution, the
words “or to be by the Legislature applied to the purposes

mentioned in the ordinance;" in which amendment, they ask the concurrence of the House of Representatives."

And then he withdrew.

Mr. Stuart, from the committee on Petitions, to which was referred the petitions of Benjamin Howland and Henry L. Brush, praying the passage of a law authorizing them to build a mill dam across Fox river; reported a bill, entitled

"An act, to authorize Benjamin Howland and Henry L. Brush, to build a mill dam across Fox river;"

Which was read the first time; and,

Ordered to a second reading.

Mr. Stuart, from the same committee, to which was referred the petition of sundry citizens of Sangamon county, praying a change in a part of the State road leading from Springfield to Alton; reported a bill, entitled

"An act, to change part of the State road from Springfield to Alton;"

Which was read the first time, and

Ordered to a second reading.

Mr. Cloud, from the committee on Enrolled bills, reported: That on this day they laid before the Council of Revision, bills of the following titles, viz:

"An act, dividing the State into Judicial Circuits;"

"An act to amend an act, entitled an act, to locate a State road from Quincy in Adams county, to Macomb in McDonough county, approved February 12, 1833,"

"An act, to incorporate the Chicago and Vincennes Railroad Company;"

"An act, regulating the mode of granting license to Clock Pedlars;"

"An act, for the benefit of William Allen."

Mr. Stuart, from the committee on the Judiciary, to which was referred the bill, entitled

"An act, for the benefit of the infant heirs of James Mason, deceased,"

Reported the same back to the House with sundry amendments;

Which were read and concurred in;

Ordered to be Engrossed as amended, for a third reading.

Mr. Stuart, from the same committee, to which was referred the bill, entitled

"An act, authorizing the Administrators of Jame Mason deceased, to execute deeds in certain cases;"

Reported the same back to the House without amendment;
Ordered to be engrossed for a third reading.

Mr. Rowan, from the select committee, to which was referred the bill from the Senate, entitled

"An act, supplemental to an act, to locate permanently the seat of justice of Alexander county, approved January 18th, 1833;"

Reported the same back to the House without amendment;
Ordered to a third reading.

Mr. Rowan, from the select committee, to which was referred the bill, entitled

"An act, relating to the Receiver of the Vermillion Saline Reserve, and the commissioner of the Gallatin Saline lands;"

Reported the same back to the House with an amendment;
 Which was read and concurred in.

Ordered to be engrossed as amended, for a third reading.

Mr. Dunn, from the select committee, to which was referred the bill, entitled

"An act, to provide for building a toll bridge across the Little Calimic;"

Reported the same back to the House with an amendment;
 Which was read and concurred in.

Ordered to be engrossed as amended, for a third reading.

Mr. Dunn, from the select committee, to which was referred the bill entitled

"An act, to change the mode of levying a tax on merchandize;"

Reported the same back to the House with sundry amendments;

Which were read and concurred in; and,

On motion of Mr. Dunn,

Laid upon the table.

Mr. Dunn, from the select committee, to which was referred the bill entitled

"An act, declaring Big Muddy a navigable stream;"

Reported the same back to the House, without amendment;

Ordered to be engrossed for a third reading.

Mr. Manly, from the select committee, to which was referred the bill, entitled

"An act, for the relief of John Stockwell, Sheriff of the county of Clark;" together with the amendments of the Senate thereto,

Reported the same back to the House without amendment;

and recommended a concurrence in the amendments of the Senate.

The amendments of the Senate,

Were then read, and concurred in.

The amendment of the Senate to the title of the bill,

Was read and concurred in.

Ordered, That the Clerk inform the Senate thereof.

Mr. Moore, from the select committee, to which was referred the bill, entitled

"An act, altering the State road from Vincennes to St. Louis,"

Reported the same back to the House with sundry amendments; and,

On motion of Mr. Anderson,

Laid upon the table.

Mr. Speaker laid before the House, the communication this day received from the Governor; which is as follows, viz:

EXECUTIVE DEPARTMENT. }

Vandalia, January 17, 1835. }

To the Hon. the SPEAKER of the House of Representatives:

SIR:—I beg leave to lay before the House of Representatives, the enclosed communication from several highly respectable citizens of the town of Chicago, in relation to depredations committed upon the land granted by Congress to this State, for the construction of the Illinois and Michigan Canal, as the destruction of any portion of the timber upon said land will evidently diminish their value. I would respectfully recommend to the Legislature, the immediate passage of a law punishing trespassers upon Canal property.

I have the honor to be,

Your ob't serv't,

JOSEPH DUNCAN.

Which was read.

The enclosed communication was read, and is as follows, viz:

VANDALIA. ILL. }

January 15, 1835. }

To His Excellency, JOSEPH DUNCAN,

Governor of the State of Illinois:

The undersigned, citizens of Cook county, Illinois, would respectfully represent: That they feel a deep and abiding interest in common with their fellow citizens, in the construction of

a communication between Lake Michigan and the Illinois River, and to effect this great and desirable object, it is important that the donation of lands made by the Congress of the United States, to aid the State of Illinois in making said communication, should be preserved and rendered as valuable as possible; and inasmuch as the depredations that are now committed upon the timber on said lands, will greatly depreciate their value, we would respectfully suggest that some measures may be speedily taken, to preserve said lands from said depredations.

JOHN BLACKSTONE,
RICH'D I. HAMILTON,
G. S. HUBBARD,
HENRY MOORE.

On motion of Mr. Hughes,
Said communications were referred to the committee on Internal Improvements.

Mr. Anderson, from the select committee, to which was referred the bill, entitled

"An act, concerning marks and brands;"

Reported the same back to the House with sundry amendments;

Which were read and concurred in.

Ordered to be engrossed as amended, for a third reading.

Mr. Whiteside, from the select committee, to which was referred the bill, entitled

"An act, to amend an act, entitled an act to regulate the Penitentiary, approved February 19, 1833;"

Reported the same back to the House with sundry amendments;

On motion of Mr. Thomas,

Said bill and proposed amendments, were referred to a committee of the Whole House; and,

On motion of Mr. Link,

The House now resolved itself into a committee of the Whole House to take into consideration said bill;

Mr. Blackwell in the Chair:

And after some time spent therein:

Mr. Speaker resumed the Chair; and,

Mr. Blackwell reported, That the committee of the Whole House have, according to order, had said bill under considera-

tion, have made some progress therein, and directed him to ask leave to sit again.

On the question,

Shall the committee of the Whole House have leave to sit again upon said bill?

It was decided in the affirmative.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

Mr. Hughes gave notice that on Tuesday next, or some day thereafter, he should ask leave to introduce a bill, entitled

"An act to amend an act, entitled an act, simplifying proceedings at law for the collection of debts, approved February 25, 1833;" and,

"An act to amend an act, entitled an act, granting pre-emption rights, and for other purposes, approved March 2d, 1833."

Mr. Bowyer, in pursuance of previous notice, asked and obtained leave to introduce a bill, entitled

"An act, to amend the several revenue laws of this State, and for other purposes;"

Which was read the first time; and

Ordered to a second reading.

Mr. Link proposed for adoption the following resolution, viz:

Resolved, That the Engrossing and Enrolling Clerk of this House, (at such times as the pressure of business may require,) be authorized to call to his aid an Assistant Clerk, and that the said Engrossing and Enrolling Clerk be required to certify the number of days that such assistant may aid him; and,

On motion of Mr. Dougherty,

Said resolution was laid upon the table until the 4th day of July next.

Mr. Ficklin, from the select committee appointed by a resolution of this House, to draft resolutions relative to the northern boundary line of this State, made the following report, viz:

WHEREAS, The act of Congress entitled "An act, to enable the people of the Illinois Territory, to form a Constitution and State Government, and for the admission of such State into the Union, on an equal footing with the original States, approved April 18, 1818," and by the Constitution of the State of Illinois, formed in pursuance of said act of Congress, the Northern boundary line of said State, is defined to be 42 degree 30 minutes North Latitude.

AND WHEREAS, The aforesaid Constitution of the said State of Illinois, is declared by a resolution of Congress, approved Dec. 3, 1818, to be republican and in conformity to the principles of the articles of compact between the original States and the people and States in the Territory north west of the Ohio river, passed on the 13th July, 1787.

AND WHEREAS, It is further declared by said resolution, that the State of Illinois shall be one of the United States of America, and to be admitted into the Union on an equal footing with the original States, in all respects whatever.

AND WHEREAS, The aforesaid Northern boundary line of said State, has since been regularly established by commissioners on the part of the United States, and of said State.

AND WHEREAS, Claims have been interposed before Congress by Michigan and the Wisconsin Territories, to a portion of the Territory of said State, lying south of the boundary line.

Therefore:—

Be it resolved by the General Assembly of the State of Illinois, That Congress has no power to divest the State of Illinois, of any portion of her territory, lying within her constitutional limits, vested in her and guarantied to her in the solemn manner aforesaid.

Resolved, That our Senators in Congress be instructed, and our Representatives requested to oppose any claim, that may be urged upon Congress in any shape whatever, to any portion of territory lying within the constitutional limits of the said State of Illinois;

Which was read, considered and adopted.

Ordered, That the Clerk inform the Senate thereof, and ask their concurrence therein.

A message from the Council of Revision, by Mr. Brown their Secretary.

"MR. SPEAKER—I am directed by the Council of Revision, to inform the House, that they have approved bills of the following titles, viz:

"An act to amend an act, entitled an act, to locate a State road from Quincy in Adams county, to Macomb in McDonough county, approved February 12, 1833;"

"An act, dividing the State into Judicial Circuits;"

"An act, to incorporate the Chicago and Vincennes Rail-Road Company;"

"An act, to amend an act for the limitation of actions, and for avoiding vexatious law suits, approved Feb. 10, 1827,"

And then he withdrew.

Mr. Trower, in pursuance of previous notice, asked and obtained leave to introduce a bill, entitled

"An act, to extend the jurisdiction of Justices of the Peace in certain cases therein named;"

Which was read the first time, and,

Ordered to a second reading.

On motion of Mr. Manly,

The rule of the House was dispensed with, and said bill

Was now read the second time by its title;

Mr. Cunningham moved to refer said bill to a select committee.

Mr. Manly moved to amend said motion so as to make it a motion to refer said bill to the committee on the Judiciary;

Which was not agreed to.

The question then recurring on the motion to refer said bill to a select committee.

It was decided in the affirmative.

Ordered, That Messrs. Cunningham, Dawson and Trower, be that committee.

On motion of Mr. Harris,

Resolved by the House of Representatives, That Benjamin V. Stephenson, be recommended to the Senate, as a suitable person to fill the office of County Surveyor for Macoupin county.

Ordered, That the Clerk inform the Senate thereof.

Mr. Harreld, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill, entitled

"An act, to provide for the enclosure of Salt Petre Caves in this State."

Which was read the first time, and,

Ordered to a second reading.

Mr. Carpenter of Hamilton, from the joint select committee, who were instructed by joint resolution to enquire whether

the laws and journals of the last session of the General Assembly, were printed and distributed in conformity with a joint resolution of said last General Assembly; and also to ascertain the different sums that have been paid out of the State Treasury, to the different persons who were employed in the performance of said duties &c ; reported:

That said committee have had the subject under consideration and find from inspecting the vouchers and reports on file in the office of Secretary of State, there was delivered to said office, Laws and Journals at the following dates and amount, to wit:

By Greiner & Sherman, printed Journals, 27th June 1833, 1000 copies.

By R. K. Fleming, private Acts, printed 27th June 1833, 500 copies

By R. Goudy, bound Revised Laws, 13th July 1833, 50 copies.

By Greiner & Sherman, Revised Laws 16th Nov. 1833, 3450 copies.

The committee further find that the contract for printing the Revised Laws by Greiner & Sherman did, by its terms require the delivering of the printed sheets to R. Goudy the binder, on the first day of July 1833, and for every week's delay, a deduction of six per cent. from the whole amount of their contract was to be made. It appears from the vouchers on file, that Greiner & Sherman did not deliver the printed sheets of the Revised Laws to R. Goudy, until the 6th day of July 1833, five days after the time specified in their contract with the State. An entire week not having closed between the day of delivering the printed sheets and the first day of July, the day fixed by the contract, the committee are of the opinion that they did not subject themselves to the forfeiture of the penalty specified in the contract as above recited. This seems to have been the opinion of the Governor of the State, to whom was submitted the facts in relation to the matter, who directed the Auditor to draw a warrant in favor of Greiner & Sherman, upon the receipt of the work.

The committee find the Laws and Journals distributed, to be in the following order:

| | | |
|---|---|--------------|
| Revised Laws of 1833, to the counties, | - | 2110 copies. |
| Private Acts of 1833, to the counties, | - | 247 " |
| Journals of both Houses, to the counties, | - | 792 " |

| | | |
|---|------|------------|
| Delivered to the Sheriffs for sale, Revised Laws, | 892 | “ |
| Militia Laws to Divisions, Brigades, Odd Battal- | | |
| ions and Regiments, | 1250 | “ |
| Amount paid for printing and binding the Laws, Journals and Private Acts, is as follows: | | |
| To Robert Goudy, for binding, | | \$2,381 00 |
| To Greiner & Sherman, for printing Laws and Journals, | | 4,270 15 |
| To R. K. Fleming, for printing private Acts, | | 283 80 |
| To John Y. Sawyer, for printing Militia Laws, | | 203 84 |
| Amount of printing and binding Laws and Jour- | | |
| nals, | | \$7,138 79 |
| There has been paid out of the Treasury, for distributing the Laws and Journals, the further sum of | | |
| | | \$930 00 |
| Total amount paid for printing, binding and distributing the Laws, | | |
| | | \$8,068 79 |

The committee are constrained to say, that the printing seems to have been done carelessly, and in many instances the Revised Code of 1833, when delivered was found imperfect in its stitching, so much so, that not unfrequently many pages were found detached without the cover.

The committee ask to be discharged from the further consideration of the subject.

On motion of Mr. Tunnel,

Said report was laid upon the table.

Mr. Wyatt from the select committee, to which was referred the bill, entitled

“An act, to repeal so much of the law as grants pre-emption rights to settlers on Seminary Lands;”

Reported the same back to the House without amendment; and recommended a rejection of said bill.

On the question,

Shall said bill be engrossed for a third reading?

It was decided in the affirmative.

Mr. Elliott, from the select committee, to which was referred the petition of sundry citizens of Vermillion county, praying the establishment of a certain State road therein named; reported a bill, entitled

An act, establishing a State road;”

Which was read the first time; and,

Ordered to a second reading.

Mr. Link, from the select committee, to which was referred the bill entitled

"An act, concerning county commissioners,"

Reported the same back to the House, without amendment;

Mr. Whiteside moved to lay said bill upon the table until the 4th day of July next.

Which was decided in the affirmative. Yeas, 31.—Nays 22.

The yeas and nays being called for by

Messrs. Dubois and Whiteside:

Those who voted in the affirmative, are,

Messrs. Able, Anderson, Blackwell, Bowyer, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cloud, Cunningham, Dawson, Dougherty, Ficklin, Frazer, Gordon, Harreld, Hampton, Hunter, Moore, McGahey, McHenry, Murphy, Oliver, Outhouse, Thomas, Trower, Tunnel, Whiteside, Webb, Wren, Wyatt and Mr. Speaker.—31.

Those who voted in the negative, are,

Messrs. Blockburger, Brown, Butler, Dubois, Dunn, Elliott, Fithian, Gregory, Hackelton, Hamlin, Harris, Henry, Hughes, Hunt, Lincoln, Link, Manly, Owen, Ross, Rowan, Stuart and Vandevanter.—22.

Mr. Murphy, from the select committee, to which was referred the bill from the Senate, entitled

"An act, to incorporate the Mount Carbon Coal Company;"

Reported the same back to the House without amendment;

Ordered to a third reading.

The Engrossed bill, entitled

"An act, to incorporate the Jacksonville Female Academy;"

Was read the third time; and,

On motion of Mr. Hunter,

Referred to a select committee.

Ordered, That Messrs. Hunter, Frazer and Henry, be that committee.

A message from the Senate by Mr. Davis, their Assistant Secretary.

"MR. SPEAKER—I am directed to inform the House of Representatives, that the Senate have concurred with them in the adoption of the resolution from the House of Representatives, having for its object, the appointment of a joint select committee, to report a bill "to regulate the times of holding circuit courts &c.;" and have appointed

Messrs. Hacker, Ewing, Davidson, Thomas, Maxwell and Stephenson, the committee on their part.

They have appointed Messrs. Gatewood, Thomas and Edwards, a committee of conference on their part, on the disagreeing vote of the two Houses, in relation to the bill from the House of Representatives, entitled

"An act, relative to Wills and Testaments."

And then he withdrew.

The bill, entitled

"An act, changing an appropriation heretofore made to the county commissioners' court of Vermillion county, to the county commissioners' court of Champaigne county." Passed.

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence therein.

The bill, entitled

"An act to amend an act, entitled an act to provide for taking the census or enumeration of the inhabitants of this State, approved January 13th, 1829;"

Was read the second time; and,

On motion of Mr. Butler,

Referred to a select committee.

Ordered, That Messrs. Butler, Carpenter of Sangamon and Bowyer, be that committee.

The bill, entitled

"An act, to change a part of the State road leading from Greenville to Vandalia;"

Was read the second time; and,

Ordered, to be engrossed for a third reading.

The bill, entitled

"An act to authorize Aurelia Hotchkiss, to sell or exchange a certain tract of land;"

Was read the second time; and,

On motion of Mr. Dubois,

Referred to a select committee.

Ordered, That Messrs. Dubois, Nunnally and Blockburger, be that committee.

The bill, entitled

"An act, to amend an act, relative to criminal jurisprudence, approved February 25, 1833."

Was read the second time;

Mr. Webb moved to refer said bill to the committee on the Judiciary.

Mr. Hughes moved to amend said motion so as to make it a motion to refer said bill to a select committee;

Which was agreed to.

On the question,

Shall said bill be referred to a select committee?

It was decided in the affirmative.

Ordered, That Messrs. Hughes, Frazer, Nunnally, Thomas and Stuart, be that committee.

The bill, entitled

"An act, to amend an act, relative to criminal jurisprudence, approved Feb. 26, 1833;"

Was read the second time; and,

On motion of Mr. Thomas,

Referred to the same select committee to which was referred the bill, entitled

"An act to amend amend an act, relative to criminal jurisprudence, approved February 25, 1833."

The bill entitled,

"An act, to authorize Ezra Baker, Jr. to erect a mill dam on the Great Wabash river, near Coffee Island."

Was read the second time; and,

On motion of Mr. Rowan,

Said bill was laid upon the table.

The bill from the Senate, entitled

"An act, for the benefit of Robert Ritchey;"

Was read the second time, and,

On motion of Mr. Rowan,

Referred to a select committee.

Ordered, That Messrs. Rowan, Harreld and Hampton, be that committee.

Mr. Webb, from the select committee, to which was referred the bill, entitled

"An act, supplemental to an act, to incorporate such persons, as may associate for the purpose of procuring and erecting public libraries in this State, approved January 31, 1823;"

Reported the same back to the House without amendment;

Ordered to be engrossed for a third reading.

Mr. Dougherty moved to take up the resolution from the Senate, in relation to the present administration &c., some days since laid upon the table.

The yeas and nays were called for by

Messrs. Carpenter of Hamilton and Dougherty,

On the question of taking up said resolution; and then,

On motion of Mr. Thomas,

The House adjourned until Monday morning 10 o'clock.

MONDAY, January 19, 1835.

House met pursuant to adjournment.

A message from the Senate, by Mr. White their Secretary.

"MR. SPEAKER:—I am directed to inform the House of Representatives, that the Senate have concurred with them in the passage of the following bills, viz:

"An act, for the relief of Lewis J. Clawson."

"An act, to amend an act to regulate the mode of trying the right of property."

They have also concurred with them in the passage of a bill, entitled

"An act, to establish a State road from Crow's in the county of Morgan, by the way of Athens in Sangamon county, to Musick's Bridge on Salt Creek;" as amended by them, in which amendment they ask the concurrence of the House of Representatives.

They have passed bills of the following titles, viz:

"An act, to locate the State road from Pittsfield in Pike county, to Quincy in Adams county;" and

"An act, relative to the town of Vandalia;" in the passage of which they ask the concurrence of the House of Representatives.

They have confirmed the nomination made by the House of Representatives, of Benjamin V. Stephenson for County Surveyor of Macoupin county."

And then he withdrew.

Mr. Hunter presented the petition of Willard Twiss, clerk of the county commissioners court of Bond county, praying certain relief;

Which was read; and,

On his motion,

Said petition was referred to the committee on the Judiciary.

Mr. Cloud, from the committee on Enrolled Bills, reported as correctly enrolled, bills of the following titles, viz:

"An act, to change part of the State road leading from Bloomington to Danville;"

"An act, to locate a State road from Bloomington to Chicago;" and

"An act for the relief of the Sheriff of Jackson county."

Mr. Hamlin presented the petition of sundry citizens of Cook county, in relation to common schools;

Which was read; and

On his motion,

Referred to a select committee.

Ordered, That Messrs. Hamlin, Gregory and Hackelton, be that committee.

Mr. Owen, from the select committee, to which was referred the bill from the Senate, entitled

"An act, to vacate the survey and plat of the town of Venus in Hancock county."

Reported the same back to the House without amendment;

Ordered to a third reading.

Mr. Webb, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill, entitled

"An act, to incorporate the Carmi Bridge Company;"

Which was read the first time; and

Ordered to a second reading.

On motion of Mr. Rowan,

The bill, entitled

"An act, to authorize Ezra Baker Jr., to erect a mill dam near Coffee Island on the Great Wabash river,"

Was taken up; and

Ordered to be engrossed for a third reading.

Mr. Thomas proposed for adoption the following resolution, viz:

Resolved, That the committee on Propositions and Grievances, be instructed to enquire into the expediency of providing by law, for the establishment of fire companies in this State, with power to make such rules and regulations as may be necessary and proper for the procuring fire engines, buckets, hooks, ladders and implements, requisite for working such engines and exercising such companies; and that they report by bill or otherwise.

Mr. Carpenter of Hamilton, moved to amend said resolution, by striking out "Propositions and Grievances," and inserting "Penitentiary;"

Which was not agreed to.

The resolution was then adopted.

A Message from the Senate, by Mr. White their Secretary.

"Mr. SPEAKER,—I am directed to inform the House of Representatives, that the Senate have concurred with them in the passage of a bill, entitled

"An act, for the benefit of John Groves;" as amended by them, in which amendment they ask the concurrence of the House of Representatives."

And then he withdrew.

On motion of Mr. McHenry,

The bill, entitled

"An act, for the benefit of John Groves," with the amendment of the Senate thereto, were taken up;

The amendment was then read, and concurred in.

Ordered, That the Clerk inform the Senate thereof.

Mr. Hunter, from the select committee, to which was referred the engrossed bill, entitled

"An act, to incorporate the Jacksonville Female Academy;"

Reported the same back to the House without amendment.

Mr. Hunter moved to amend the bill, by adding the following at the end thereof, viz:

Provided, nevertheless, That all the real and personal property of each of the Trustees, shall be bound for the payment of all contracts which they shall enter into for said institution;"

Which was agreed to.

The yeas and nays being called for on this motion, by

Messrs. Wyatt and McHenry:

Those voting in the affirmative, are,

Messrs. Able, Anderson, Blockburger, Bowyer, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cloud, Cunningham, Dougherty, Dunn, Ficklin, Hackelton, Hamlin, Harris, Harreld, Hampton, Hughes, Hunter, Moore, McGahey, McHenry, Murphy, Nunnally, Oliver, Outhouse, Owen, Ross, Thompson, Thomas, Trower, Tunnel, Vandevanter, Wren, Wyatt and Mr. Speaker.—36.

Those voting in the negative, are,

Messrs. Blackwell, Brown, Dubois, Elliott, Fithian, Frazer, Gregory, Gordon, Henry, Hunt, Lincoln, Link, Rowan, Stuart and Webb.—15.

The question was then put:

Shall the bill pass?

Messrs. Wyatt and McHenry calling for the yeas and nays on the passage of the bill:

Those voting in the affirmative, are,

Messrs. Able, Blackwell, Brown, Butler, Clark, Cloud, Dougherty, Dunn, Dubois, Elliott, Ficklin, Fithian, Frazer, Gordon, Gregory, Hackelton, Hamlin, Harris, Harreld, Hamp-

ton, Henry, Hunt, Lincoln, Link, McGahey, McHenry, Murphy, Ross, Rowan, Stuart, Thompson, Thomas, Trower, Tunnel, Vandevanter, Webb, Wren and Mr. Speaker.—38.

Those who voted in the negative, are,

Messrs. Anderson, Blockburger, Bowyer, Carpenter of Hamilton, Carpenter of Sangamon, Cunningham, Hughes, Hunter, Moore, Nunnally, Oliver, Owen, Outhouse and Wyatt.—14.

So the bill passed.

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence therein.

The preamble and resolutions from the Senate, relative to the Cahokia and Prairie du Pont commons;

Were taken up and read.

Mr. Webb moved to lay said preamble and resolutions upon the table;

Which was not agreed to.

On motion of Mr. Stuart,

Said preamble and resolutions were referred to a select committee.

Ordered, That Messrs. Stuart, Thomas, Webb, Whiteside and Hughes, be that committee.

Mr. Dougherty, from the select committee, to which was referred the bill, entitled

“An act, concerning the School Fund;”

Reported the same back to the House without amendment.

Mr. Dougherty moved to amend said bill, by striking out all after the word “until” in the ninth line, and insert “distributed for school purposes among the several counties.”

On motion of Mr. Thomas,

Said bill and proposed amendments, were referred to a committee of the Whole House.

Mr. Ficklin, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill, entitled

“An act, giving jurisdiction of Justices of the Peace in cases of Detinue and Replevin;”

Which was read the first time; and,

Ordered to a second reading.

Mr. Moore, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill, entitled

“An act, concerning the revenue of counties.”

Which was read the first time.

Mr. Dougherty moved to lay said bill upon the table until the 4th day of July next.

Which was not agreed to.

Ordered to a second reading.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

Mr. Stuart, from the committee on Petitions, to which was referred the petition of Reni Paul and others; and a petition concerning certain claims therein named; reported a bill, entitled

"An act, for the relief of Justus Post and Reni Paul and others;"

Which was read the first time, and

Ordered to a second reading.

The amendments of the Senate, to the resolution of the House relative to the Seminary Fund;

Were read; and,

On motion of Mr. Stuart,

Said resolution and amendments were laid upon the table.

The amendments of the Senate to the bill from the House, entitled

"An act, to establish a State road from Crow's in the county of Morgan, by the way of Athens in Sangamon county, to Musick's bridge on Salt creek,"

Were read; and,

On motion of Mr. Henry,

Said bill and amendments were referred to a select committee.

Ordered, That Messrs. Henry, Wyatt and Carpenter of Sangamon, be that committee.

The bill from the Senate, entitled

"An act, relative to the town of Vandalia;"

Was read the first time; and

Ordered to a second reading.

Mr. Dubois, from the select committee, to which was referred the bill, entitled

"An act, to authorize Aurelia Hotchkiss, to sell or exchange a certain tract of land;"

Reported the same back to the House without amendment.

Ordered to be engrossed for a third reading.

The bill from the Senate, entitled

"An act, to locate a State road from Pittsfield in Pike county, to Quincy in Adams county;"

Was read the first time; and

Ordered to a second reading.

The Engrossed bills, entitled

"An act, for the benefit of the infant heirs of James Mason, deceased,"

"An act, authorizing the Administrators of James Mason deceased, to execute deeds in certain cases;"

"An act, to provide for building a toll bridge across the Little Calimic;"

"An act, declaring Big Muddy a navigable stream;"

"An act, to repeal so much of the law as grants pre-emption rights to settlers on Seminary Lands;"

"An act, to change a part of the State road leading from Greenville to Vandalia;" and,

"An act, supplemental to an act, to incorporate such persons, as may associate for the purpose of procuring and erecting public libraries in this State, approved January 31, 1823;"

Were severally read the third time; and passed.

Ordered, That the titles of the bills be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence therein.

The bill from the Senate, entitled,

"An act, supplemental to an act, to locate permanently the seat of justice of Alexander county, approved January 18th, 1833;"

Was read the third time.

Mr. Dunn moved to amend said bill, by striking out the word "creation," and inserting "erection;"

Which was agreed to.

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence to the amendment of the House therein.

The bill, entitled

"An act, relating to the Receiver of the Vermillion Saline Reserve, and the commissioner of the Gallatin Saline lands;"

Was read the third time; and,

On motion of Mr. Dougherty,

Referred to a select committee.

Ordered, That Messrs. Dougherty, Elliott and Hunter, be that committee.

The Engrossed bill, entitled

"An act, concerning marks and brands;"

Was read the third time.

Mr. Outhouse moved to amend said bill, by adding

"*Provided*, That nothing in this act shall be so construed as to vest the right of the property in the person who shall ear-mark or brand the same, unless the same be manifestly his own property;"

Which was agreed to. And,

On motion of Mr. Dubois,

Said bill was referred to a select committee.

Ordered, That Messrs. Dubois, Able and Outhouse, be that committee.

On motion of Mr. Thompson,

The rule of the House was dispensed with, and the bill from the Senate, entitled

"An act, to incorporate the Mount Carbon Coal Company;"

Was read the third time by its title; and passed.

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof.

The bills entitled,

"An act, to authorize Benjamin Howland and Henry L. Brush, to build a mill dam across Fox river;"

"An act, to provide for the enclosure of Salt Petre Caves in this State;" and,

An act, establishing a State road;"

Were severally read the second time; and,

Ordered to be engrossed for a third reading.

The bill, entitled

"An act, to change part of the State road from Springfield to Alton;"

Was read the second time; and,

On motion of Mr. Harris,

Referred to a select committee.

Ordered, That Messrs. Harris, Dawson and Tunnel, be that committee.

The bill, entitled

"An act, to amend the several revenue laws of this State and for other purposes;"

Was read the second time; and,
On motion of Mr. Stuart,
Said bill was referred to the committee on Finance.

On motion of Mr. Henry,

The House now resolved itself into a committee of the Whole House to take into consideration the bill, entitled

"An act, to amend an act, entitled an act to regulate the Penitentiary, approved February 19, 1833;" together with the amendments of the select committee.

Mr. Blackwell in the Chair:

And after some time spent therein:

Mr. Speaker resumed the Chair; and,

Mr. Blackwell reported, That the committee of the Whole House have, according to order, had said bill under consideration, had made sundry amendments therein, in which they ask the concurrence of the House.

Mr. Dougherty moved that the House adjourn;

Which was not agreed to.

Mr. Gordon moved to amend the report of the committee of the Whole House, by striking out the words "400," and inserting the words "300."

A division of the question was called for.

The question being then taken on striking out the word "400."

It was decided in the negative. Yeas 11.—Nays 39.

The yeas and nays being called for by

Messrs. Dougherty and Carpenter of Hamilton:

Those who voted in the affirmative, are,

Messrs. Carpenter of Hamilton, Carpenter of Sangamon, Dougherty, Dubois, Gordon, Lincoln, Moore, Murphy, Nunnally, Oliver and Wren.—11.

Those who voted in the negative, are,

Messrs. Anderson, Blackwell, Blockburger, Brown, Butler, Clark, Cloud, Cunningham, Dunn, Elliott, Ficklin, Fithian, Frazer, Hackelton, Hamlin, Harris, Harreld, Hampton, Henry, Hughes, Hunt, Hunter, Link, Manly, McGahey, McHenry, Outhouse, Owen, Ross, Rowan, Stuart, Thomas, Trower, Tunnel, Vandevanter, Webb, Wyatt and Mr. Speaker.—39.

On the question,

Will the House concur in the amendments of the select committee, as amended by the committee of the Whole House?

It was decided in the affirmative.

Ordered, That said bill as amended, be engrossed for a third reading.

Mr. Thomas moved that the House adjourn;

Which was not agreed to.

On motion of Mr. Gregory,

The bill, entitled

"An act, to provide for the distribution and application of the interest of the several school funds," some days since laid upon the table;

Was now taken up; and,

On the further motion of Mr. Gregory,

Said bill was referred to a committee of the Whole House, and made the order of the day for to-morrow.

Mr. Speaker laid before the House, a communication from the Auditor of Public Accounts; which is as follows, viz:

STATE OF ILLINOIS, AUDITOR'S OFFICE, }
Vandalia, January 17, 1835. }

To the HON. the SPEAKER of the House of Representatives:

SIR:—In compliance with a resolution, calling on the Auditor for the amount of non-resident land tax paid into the State Treasury for the year 1834, previously to making out the lists of delinquent landholders for the same year, as required by law; and also the amount which all the Sheriffs of this State will receive as their commission for collecting the land tax for the year 1834.

Agreeable to the abstracts returned to his office for the same year, I have the honor to submit the following statement.

The amount of land tax paid into the State Treasury, by non-residents for the year 1834, previous to making out the delinquent lists, is - - - - - \$8,397 67

The amount which all the Sheriffs will receive as their commission for collecting the State's proportion of the land tax for the year 1834, is - - - - - \$1,926 45

The amount which all the Sheriffs will receive as their commission for collecting the land taxes paid into the county Treasuries for the year 1834, is - - - - - \$1,583 22

Total amount of commission paid to Sheriffs for collecting land tax, - - - - - \$3,509 67

I am, very respectfully,

JAMES T. B. STAPP, Auditor.

Which was read; and
 On motion of Mr. Ross,
 Referred to the committee on Finance.

And then the House adjourned.

TUESDAY, *January* 20, 1835.

House met pursuant to adjournment.

Mr. Cloud, from the committee on Enrolled Bills, reported as correctly enrolled, a bill, entitled

"An act, for the benefit of John Groves."

Mr. Cloud, from the same committee, reported: That on this day bills of the following titles, were laid before the Council of Revision, viz:

"An act for the relief of the Sheriff of Jackson county;"

"An act, to change part of the State road leading from Bloomington to Danville;"

"An act, to locate a State road from Bloomington to Chicago;" and

"An act, for the benefit of John Groves."

Mr. Stuart, from the select committee, to which was referred the preamble and resolution from the Senate, requesting our Senators and Representatives in Congress, to procure the passage of a law granting to the county of St. Clair, one hundred and sixty acres of land of the Cahokia and Prairie du Pont Commons;

Reported the same back to the House without amendment; and recommended a concurrence in the adoption of the same.

The preamble and resolution were then adopted.

Ordered, That the Clerk inform the Senate thereof.

Mr. Hamlin, from the select committee, to which was referred the bill from the Senate, entitled

"An act, to authorize James Kinzie to alter the town plat of the town of Wabonsie;"

Reported the same back to the House without amendment.

The bill was then ordered to be read the third time.

Mr. Ross from the select committee, to which was referred the bill, for

copies of the Journals of each House; and that the Auditor, Treasurer, and Secretary of State, are hereby required to contract for half binding the laws of the present session in the same manner that the laws of a private nature were at the last session, and for finishing the Journals in the same way and manner they were at the last session; and,

On motion of Mr. Stuart,

Said resolution was referred to a committee of the Whole House, and made the order of the day for this evening.

Mr. Ficklin, in pursuance of previous notice, asked and obtained leave to introduce a bill, entitled

"An act to amend an act, supplementary to an act, entitled an act to incorporate the Wabash navigation company."

Which was read the first time, and,

Ordered to a second reading.

Mr. Gregory, proposed for adoption the following resolution, viz:

WHEREAS, Much time and money is unnecessarily expended by writing and printing memorials;

Therefore:—

Resolved by the House of Representatives, That hereafter memorials shall not be entered upon the Journals of this House, but the Clerk shall state the object of the memorials.

On the question,

Shall said resolution be adopted?

It was decided in the affirmative. Yeas 40.—Nays 9.

The yeas and nays being called for by

Messrs. Carpenter of Hamilton and Gregory,

Those voting in the affirmative, are,

Messrs. Able, Anderson, Bowyer, Brown, Butler, Carpenter of Sangamon, Clark, Dougherty, Dubois, Dunn, Elliott, Fithian, Frazer, Gregory, Gordon, Hackelton, Hamlin, Harris, Harreld, Hampton, Hughes, Hunt, Lincoln, Link, Moore, McGahey, McHenry, Murphy, Nunnally, Oliver, Owen, Ross, Rowan, Stuart, Thompson, Thomas, Trower, Vandevanter, Webb and Mr. Speaker.—40.

Those voting in the negative, are,

Messrs. Blockburger, Carpenter of Hamilton, Cloud, Cunningham, Henry, Hunter, Outhouse, Tunnel, and Wyatt.—9.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

Mr. Ross gave notice that on Thursday next, or some day thereafter, he will ask leave to introduce a bill entitled

"An act declaring the Snicarty, a branch of the Mississippi river, a navigable stream."

Mr. Wyatt, in pursuance of previous notice, asked and obtained leave to introduce a bill entitled,

"An act for the relief of the person therein named,"

Which was read the first time, and

Ordered to a second reading.

Mr. Hughes, in pursuance of previous notice, asked and obtained leave to introduce a bill entitled

"An act granting pre-emption rights, and for other purposes, approved March 2, 1833;"

Which was read the first time; and

Ordered to a second reading.

On motion of Mr. Stuart,

The rule of the House was dispensed with; and

Said bill was now read the second time by its title, and

On further motion of Mr. Stuart,

Referred to a select committee.

Ordered, That Messrs. Stuart, Hamlin and Hughes be that committee.

The engrossed bills, entitled

"An act to authorize Aurelia Hotchkiss to sell or exchange a certain tract of land,"

"An act to authorize Benjamin Howland, and Henry L. Brush, to build a mill dam across Fox river,"

"An act to provide for the enclosure of Salt-petre caves in this State,"

"An act establishing a State Road," and

"An act to amend an act entitled an act to regulate the Penitentiary, approved February 19, 1833,"

Were severally read the third time, and passed.

Ordered, That the titles of the bills be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence therein.

The bill from the Senate, entitled

"An act to vacate the plat and survey of the town of Venus in Hancock county,"

Was read the third time, and passed.

Ordered, That the title of the bill be as aforesaid, and that the Clerk inform the Senate thereof.

The engrossed bill, entitled

"An act to authorize Ezra Baker, jr. to erect a mill dam near Coffee Island, on the Great Wabash river"

Was read the third time; and,

On motion of Mr. Cunningham,

Referred to a select committee.

Ordered, That Messrs. Cunningham, Ficklin and McGahey, be that committee.

On motion of Mr. Link,

The rule of the House was dispensed with; and

The engrossed bill, entitled

"An act to incorporate the Carmi Bridge Company"

Was read the second time by its title; and

On motion of Mr. McHenry,

Referred to a select committee.

Ordered, That Messrs. McHenry, Webb and Trower, be that committee.

The bill, entitled

"An act giving Justices of the Peace jurisdiction in cases of Detinue and Replevin"

Was read the second time; and,

On motion of Mr. Thomas,

Referred to the committee on the Judiciary.

The bill, entitled

"An act concerning the Revenue of counties"

Was read the second time; and

On motion of Mr. Manly,

Referred to a select committee.

Ordered, That Messrs. Manly, Moore and Oliver, be that committee.

The bill from the Senate, entitled

"An act to locate a State road from Pittsfield in Pike county to Quincy in Adams county"

Was read the second time; and,

On motion of Mr. Ross,

Referred to a select committee.

Ordered, That Messrs. Ross, Oliver and Hunter, be that committee.

The bill from the Senate, entitled

"An act relative to the town of Vandalia"

Was read the second time, and,

On motion of Mr. Blackwell,

Referred to a select committee.

Ordered, That Messrs. Blackwell, Harris, and Outhouse, be that committee.

The bill entitled

"An act for the relief of Justus Post and Rene Paul and others,

Was read the second time; and

Mr. Dunn moved to refer said bill to the committee on Finance.

Mr. Blackwell moved to refer said bill to a committee of the whole House.

The question recurring upon the motion to refer said bill to the committee on Finance,

It was decided in the affirmative.

On motion of Mr. Gregory,

The House now resolved itself into a committee of the Whole House to take into consideration the bill, entitled

"An act concerning the School Fund," with the proposed amendments thereto,

Mr. Ficklin in the Chair; and

After some time spent therein,

Mr. Speaker resumed the Chair, and

Mr. Ficklin reported, That the committee of the Whole House, had, according to order, had said bill under consideration, had made an amendment thereto, in which they ask the concurrence of the House; and

On motion of Mr. Gregory,

Said bill and proposed amendments were referred to a select committee of seven.

Ordered that Messrs. Gregory, Ficklin, Dougherty, Thomas, Frazer, Gordon and Able, be that committee; and then

The House adjourned.

WEDNESDAY, *January* 21, 1835.

House met pursuant to adjournment.

Mr. Hamlin presented the petition of sundry citizens of Put-

Was read the third time, and passed.

Ordered, That the title of the bill be as aforesaid, and that the Clerk inform the Senate thereof.

The engrossed bill, entitled

"An act to authorize Ezra Baker, jr. to erect a mill dam near Coffee Island, on the Great Wabash river"

Was read the third time; and,

On motion of Mr. Cunningham,

Referred to a select committee.

Ordered, That Messrs. Cunningham, Ficklin and McGahey, be that committee.

On motion of Mr. Link,

The rule of the House was dispensed with; and

The engrossed bill, entitled

"An act to incorporate the Carmi Bridge Company"

Was read the second time by its title; and

On motion of Mr. McHenry,

Referred to a select committee.

Ordered, That Messrs. McHenry, Webb and Trower, be that committee.

The bill, entitled

"An act giving Justices of the Peace jurisdiction in cases of Detinue and Replevin"

Was read the second time; and,

On motion of Mr. Thomas,

Referred to the committee on the Judiciary.

The bill, entitled

"An act concerning the Revenue of counties"

Was read the second time; and

On motion of Mr. Manly,

Referred to a select committee.

Ordered, That Messrs. Manly, Moore and Oliver, be that committee.

The bill from the Senate, entitled

"An act to locate a State road from Pittsfield in Pike county to Quincy in Adams county"

Was read the second time; and,

On motion of Mr. Ross,

Referred to a select committee.

Ordered, That Messrs. Ross, Oliver and Hunter, be that committee.

The bill from the Senate, entitled

"An act relative to the town of Vandalia"

Was read the second time, and,
On motion of Mr. Blackwell,
Referred to a select committee.

Ordered, That Messrs. Blackwell, Harris, and Outhouse, be that committee.

The bill entitled

"An act for the relief of Justus Post and Rene Paul and others,

Was read the second time; and

Mr. Dunn moved to refer said bill to the committee on Finance.

Mr. Blackwell moved to refer said bill to a committee of the whole House.

The question recurring upon the motion to refer said bill to the committee on Finance,

It was decided in the affirmative.

On motion of Mr. Gregory,

The House now resolved itself into a committee of the Whole House to take into consideration the bill, entitled

"An act concerning the School Fund," with the proposed amendments thereto,

Mr. Ficklin in the Chair; and

After some time spent therein,

Mr. Speaker resumed the Chair, and

Mr. Ficklin reported, That the committee of the Whole House, had, according to order, had said bill under consideration, had made an amendment thereto, in which they ask the concurrence of the House; and

On motion of Mr. Gregory,

Said bill and proposed amendments were referred to a select committee of seven.

Ordered that Messrs. Gregory, Ficklin, Dougherty, Thomas, Frazer, Gordon and Able, be that committee; and then

The House adjourned.

WEDNESDAY, *January* 21, 1835.

House met pursuant to adjournment.

Mr. Hamlin presented the petition of sundry citizens of Put-

nam county, praying the establishment of a new county out of the western part of said county, the reading of which was, on his motion dispensed with, and the same referred to the committee on petitions.

Mr. Ross presented the petition of sundry citizens of Pike and Morgan counties, praying the establishment of a State Road from Jacksonville to Pittsfield, via Atlas, to Burrell's Ferry on the Mississippi river, the reading of which was, on his motion, dispensed with, and the same referred to a select committee.

Ordered, That Messrs. Ross, Gordon and Cloud be that committee.

Mr. Hamlin presented the petition of the inhabitants of the town of Ottawa, praying the incorporation of a company to build a bridge across the Illinois river,

The reading of which was, on his motion, dispensed with, and the same referred to the Committee on Petitions.

Mr. Brown presented the petition of sundry citizens of Tazewell county, praying an alteration of a State Road therein named,

The reading of which, was, on his motion dispensed with, and the same referred to the Committee on Petitions.

Mr. Butler gave notice that on Friday next, or some day thereafter, he should ask leave to introduce a bill, for

"An act, for the relief of Warren county."

Mr. Anderson, from the select committee, to which was referred the petition of sundry citizens of Jefferson county, praying for a certain State Road, reported a bill for

"An act declaring the road from Mount Vernon to New Nashville a State Road."

Which was read the first time; and,

Ordered to a second reading.

Mr. Stuart from the select committee, to which was referred a bill for

"An act to incorporate the Jacksonville and Meredocia Railroad Company,

Reported the same without amendment.

Ordered to be engrossed for a third reading.

Mr. Cunningham from the select committee, to whom was referred the bill for

"An act to extend the jurisdiction of Justices of the Peace, in certain cases therein named.

Reported the same with an amendment.

Which was read and concurred in.

The bill was then ordered to be engrossed for a third reading.

A message from the Senate, by Mr. White their Secretary.

"MR. SPEAKER:—I am directed to inform the House of Representatives, that the Senate have concurred with them in the passage of bills of the following titles, viz:

"An act entitled an act authorizing the administrators of James Mason, deceased, to execute deeds in certain cases, and

"An act to change such part of the State road from Vincennes to Chicago as lies in Crawford county."

They have also concurred with them in the passage of a bill entitled,

"An act to amend an act, entitled an act, relating to the Attorney General and States Attorney," as amended by them,

In which amendment they ask the concurrence of the House of Representatives.

They have passed a bill of the following title, viz:

"An act further defining the powers and duties of trustees of incorporate towns;"

In the passage of which, they ask the concurrence of the House of Representatives.

They have adopted the following resolutions, viz:

Resolved by the Senate, (the H. of R. concurring herein,) That the present General Assembly shall adjourn *sine die*, on Saturday, the 7th day of February next.

Resolved, That after the 29th of the present month, January, there shall be no more new business introduced."

In the adoption of which they ask the concurrence of the House of Representatives.

And he withdrew.

Mr. Frazer presented the petition of sundry citizens of Clay county, praying the Legislature to pass a resolution requesting our Senators and Representatives in Congress to use their influence to procure the establishment of certain mail routes in this State.

The reading of which was, on his motion, dispensed with, and the same referred to the Committee on Petitions.

The Speaker laid before the House, a Report from the Treasurer, in pursuance of the several laws passed at the last session of the General Assembly, relative to the State Bank of Illinois.

Which was read in part, when

On motion of Mr. Thomas,

The further reading thereof was dispensed with, and the same referred to the Committee on Finance.

Mr. Thomas proposed for adoption the following Preamble and resolutions, viz:

Whereas, an apportionment of representation in our State Legislature, can be made as well before as after the taking of the next census, by settling upon a *ratio* of representation; and, *whereas*, a special session of the Legislature is therefore unnecessary, and would be productive of much expense to the State, *Therefore*,

Resolved by the Senate and House of Representatives, That a joint select committee to consist of twelve members on the part of the House, and six on the part of the Senate, be appointed to fix upon a *ratio*, and make an apportionment of representation in our State Legislature, after the taking of the next census, among the different counties in this State; and that they report by bill or otherwise.

Mr. Vandevanter moved to lay the Preamble and Resolution on the table until the 4th day of July next.

The yeas and nays being called for by

Messrs. Thomas and Hampton,

Those voting in the affirmative, are,

Messrs. Able, Blackwell, Blockburger, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cunningham, Dawson, Dubois, Dunn, Elliott, Ficklin, Fithian, Frazer, Hackelton, Hamlin, Harris, Hughes, Hunt, Lincoln, Manly, Moore, Murphy, Oliver, Outhouse, Owen, Ross, Stuart, Thompson, Trower, Tunnel, Vandevanter, Webb, Wren, and Mr. Speaker.
—35.

Those voting in the negative, are,

Messrs. Anderson, Brown, Cloud, Gregory, Gordon, Harreld, Hampton, Henry, Hunter, Link, McGahey, McHenry, Nunnally, Rowan, Thomas and Wyatt—16.

So the Preamble and Resolutions were laid upon the table until the 4th of July next.

Mr. Dubois, from the select committee to which was referred the engrossed bill, for

“An act concerning marks and brands,”

Reported the same with sundry amendments; which were read, when

On motion of Mr. Dunn,

The bill and report were laid upon the table.

A message from the Council of Revision, by Mr. Brown their Secretary.

"Mr. SPEAKER—The Council of Revision have approved bills of the following titles,

"An act for the relief of the Sheriff of Jackson county,"

"An act to locate a State Road from Bloomington to Chicago," and

"An act for the benefit of John Groves;"

And he withdrew.

Mr. Murphy proposed for adoption the following resolutions, viz:

Resolved, That the Committee on Propositions and Grievances be instructed to enquire into the propriety of reducing the fees of the Clerks of the Circuit and County Commissioners' Courts, Judges of Probate, Recorders, County Surveyors, Justices of the Peace, and Constables and Sheriffs of the different counties of the State; and that they have leave to report, by bill or otherwise.

Mr. Manly moved to lay the resolution on the table.

The yeas and nays being called for on this motion by Messrs. Murphy and Nunnally,

Those voting in the affirmative, are,

Messrs. Blackwell, Blockburger, Dubois, Ficklin, Hamlin, Hunt and Manly—7.

Those voting in the negative, are,

Messrs. Able, Anderson, Brown, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cloud, Cunningham, Dawson, Dunn, Elliott, Fithian, Frazer, Gregory, Gordon, Hackelton, Harris, Harreld, Hampton, Henry, Hughes, Hunter, Lincoln, Link, Moore, McGahey, Nunnally, McHenry, Murphy, Oliver, Outhouse, Owen, Ross, Rowan, Stuart, Thompson, Thomas, Trower, Tunnel, Vandevanter, Webb, Wren, Wyatt, and Mr. Speaker—45.

So the House refused to lay the resolution on the table.

Mr. Cloud moved to amend the resolution, by adding after the word "State" the following, viz:

"And also members and officers of the Legislature."

Mr. Wren moved to amend the amendment, so as to strike out the whole of the same, and insert the following, viz:

"Also the expediency of fixing the pay of the members of the Legislature at two dollars per day, and all the officers in proportion."

Which amendment was not adopted.

Mr. Stuart moved to amend by striking out the proposed amendment; and inserting the following, viz:

"That said committee be instructed to report a bill permitting members of this body to receive for their services any amount they may think proper to take, not exceeding three dollars."

Mr. Manly moved that the House adjourn until 2 o'clock, P. M.

Which was decided in the negative, when

On motion of Mr. Hughes,

The Resolution and proposed Amendments, were laid on the table.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

The Resolutions from the Senate, in relation to the adjournment of the General Assembly and the reception of new business, were read and concurred in.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Stuart, from the select committee to which was referred a bill, for

"An act to amend an act granting pre-emption rights, and for other purposes, approved March 2d, 1833, reported a substitute,

Which was read and concurred in.

Ordered, to be engrossed and read a third time.

Mr. Moore, from the select committee to which was referred the bill, for

"An act, to amend an act, to regulate Mills and Millers, approved February 9, 1827;"

Reported the same with amendments,

Which were read and concurred in.

Ordered to be engrossed and read a third time.

On motion of Mr. Webb,

Resolved, That the Committee on Finance be instructed to enquire into the expediency of granting further relief to debtors

to the State Bank, and that said committee report, by bill or otherwise.

Mr. Dunn, from the committee on the Judiciary, to which was referred the petition of Willard Twiss, praying relief, reported a bill, for

"An act for the relief of Willard Twiss,"

Which was read the first time; and

Ordered to a second reading.

Mr. Outhouse presented the petition of Nancy McCracken, praying the passage of a law authorizing her to sell certain real estate,

The reading of which, was,

On his motion,

Dispensed with, and

Referred to a select committee.

Ordered, That Messrs. Outhouse, Harris and Hughes, be that committee.

On motion of Mr. Rowan,

The House resolved itself into a Committee of the Whole House, on the bill, for

"An act to provide for the distribution and application of the interest of the School Funds; and

After some time spent therein,

Mr. Speaker resumed the Chair; and,

Mr. Webb reported, that

The Committee of the Whole House had said bill under consideration,

Had made some progress therein, and

Had directed him to ask leave to sit again on said bill,

Which was granted.

Mr. Dunn, from the committee on the Judiciary, reported a bill, for,

"An act to authorize a special term of the Circuit Court in the county of Fayette;"

Which was read the first time; and

Ordered, to a second reading.

On motion of Mr. Blackwell,

The rule of the House was dispensed with, and the bill

Was read the second time by its title; and,

Ordered to be engrossed for a third reading; and

On motion of Mr. Thomas,

The rule of the House was further dispensed with, and the bill

Was read the third time, by its title, and passed.

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence therein.

And then the House adjourned.

THURSDAY, January 22, 1835.

House met pursuant to adjournment.

A Message from the Senate, by Mr. White their Secretary.

"Mr. SPEAKER,—I am directed to inform the House of Representatives, that the Senate have adopted the following resolution, viz:

"Resolved by the Senate, (the House of Representatives concurring herein,) That the Governor be requested to forward to our Senators and Representatives in Congress, copies of all such resolutions and memorials as may be adopted and passed by the present General Assembly, addressed to that body."

In the adoption of which, they ask the concurrence of the House of Representatives.

And he withdrew.

"Mr. Butler presented the petition of sundry inhabitants of Mercer county, praying for the passage of an act, organizing said county; and

On his motion,

The reading thereof was dispensed with, and the same Was referred to the Committee on Petitions.

Mr. Anderson presented the petition of sundry citizens of Jefferson county, praying a certain State Road, and

On his motion,

The reading thereof was dispensed with, and the same Was referred to a select committee.

Ordered, That Messrs. Anderson, Clark and Carpenter of Hamilton, be that committee.

Mr. Dawson, from the Committee on Internal Improvements, to which was referred the communications from the Governor,

and sundry citizens of Cook county, relative to trespass on Canal Lands, &c. reported a bill, entitled

"An act to prevent trespassing on the Canal lands of this State,"

Which was read the first time, and,

Ordered to a second reading.

Mr. Hughes from the Committee on Public Accounts and Expenditures, reported a bill, entitled

"An act in relation to Bank Collectors,"

Which was read the first time; and,

Ordered to a second reading.

On motion of Mr. Webb,

The rule of the House was dispensed with, and said bill

Was read the second time, and by its title; and

On the further motion of Mr. Webb,

Referred to the Committee on Finance.

Mr. McHenry, from the select committee to which was referred the bill, entitled

"An act to incorporate the Carmi Bridge Company,"

Reported the same back to the House with an amendment,

Which was read and concurred in.

Ordered to be engrossed, as amended, for a third reading.

Mr. Manly from the select committee to which was referred the bill, entitled

"An act concerning the Revenue of Counties,"

Reported the same back to the House without amendment.

Mr. Manly moved to lay said bill on the table, until the 4th day of July next.

Mr. Ficklin moved to refer said bill to a select committee of five;

Which was agreed to.

Ordered, That Messrs. Ficklin, Moore, Owen, Harris and Brown, be that committee.

Mr. Stuart, from the select committee to which was referred the bill, entitled

"An act to limit the jurisdiction of Justices of the Peace,"

Reported the same back to the House with an amendment,

Which was read and concurred in.

Ordered, That said bill as amended, be engrossed for a third reading.

Mr. Henry, from the select committee, to which was referred the bill, entitled

"An act to establish a State Road from Crows in the county

of Morgan, by the way of Athens, in Sangamon county, to Musick's Bridge on Salt Creek," together with the amendment of the Senate thereto,

Reported the same back to the House without amendment, and recommended a concurrence in the amendment of the Senate thereto; and

On motion of Mr. Wyatt,

Said bill and amendment were referred to a select committee.

Ordered, That Messrs. Wyatt, Tunnel and Carpenter of Sangamon, be that committee.

Mr. Stuart, from the select committee, to which was referred the bill, entitled

"An act to reduce the fees of Justices of the Peace and Constables, in certain cases,"

Reported the same back to the House without amendment; and

On motion of Mr. Gordon,

Said bill was referred to a select committee of seven.

Ordered, That Messrs. Gordon, Hunter, McHenry, Able, Dawson, McGahey and Dunn be that committee.

On motion of Mr. Link,

The bill, entitled

"An act to change the mode of levying a tax on merchandise," some days since laid upon the table,

Was taken up, and

On motion of Mr. Hughes,

Said bill was referred to the Committee on Finance.

Mr. Hunt, from the select committee to which was referred the bill, entitled

"An act providing compensation for Grand and Petit Jurors,"

Reported the same back to the House without amendment; and

On motion of Mr. Stuart,

Said bill was referred to a committee of the Whole House, and made the order of the day for to-morrow.

Mr. Cloud moved, that

The House now resolve itself into a Committee of the Whole House, to take into consideration the resolution relative to the printing of the Laws and Journals,

Which was not agreed to.

Mr. Vandevanter, in pursuance of previous notice, asked and obtained leave to introduce a bill, entitled

"An act to locate a State Road therein named, and for other purposes;"

Which was read the first time; and

Ordered to a second reading.

On motion of Mr. Lincoln,

The rule of the House was dispensed with; and

Said bill was now read the second time by its title, and

On motion of Mr. Henry,

Referred to a select committee.

Ordered, That Messrs. Henry, Vandevanter and Ross, be that committee.

Mr. Gordon, from the Committee on Education, to which was referred a bill, entitled

"An act, to provide for the equitable distribution of the School Fund,"

Reported the same back to the House without amendment; and recommended, that

Said bill be rejected.

Mr. Gregory moved to refer said bill to the same select committee to which was referred the bill, entitled

"An act concerning the School Fund,"

Which was agreed to.—Yeas 52—Nays 2.

The yeas and nays being called for on this motion by Messrs. Carpenter of Hamilton and Nunnally,

Those voting in the affirmative, are,

Messrs. Able, Anderson, Blackwell, Blockburger, Bowyer, Brown, Butler, Carpenter of Sangamon, Clark, Cloud, Cunningham, Dawson, Dougherty, Dubois, Dunn, Elliott, Ficklin, Fithian, Frazer, Gregory, Gordon, Hackelton, Hamlin, Harris, Harreld, Hampton, Henry, Hughes, Hunt, Hunter, Lincoln, Link, Manly, Moore, McGahey, Mc-Henry, Murphy, Nunnally, Owen, Ross, Rowan, Stuart, Thomas, Thompson, Trower, Tunnel, Vandevanter, Whiteside, Webb, Wren, Wyatt, and Mr. Speaker—52.

Those voting in the negative, are,

Messrs. Carpenter of Hamilton, and Oliver—2.

Mr. Gordon, in pursuance of previous notice, asked and obtained leave to introduce a bill entitled,

"An act to amend an act, entitled an act, providing for the election of Justices of the Peace and Constables, approved Dec. 30, 1826;"

Which was read the first time; and,

Ordered to a second reading.

Mr. Stuart gave notice that on Saturday next, or some day thereafter, he will ask leave to introduce a bill, entitled

"An act to repeal an act, entitled an act to amend an act relative to the duties of the office of Attorney General of this State "

Mr. Dawson proposed for adoption the following resolution, viz:

Whereas, a resolution has passed this General Assembly, to adjourn, without day, on the 7th of next month,

Therefore,—

Be it resolved, That, after Monday, the 26th inst. when this House adjourns in the evening, it shall adjourn to meet at 7 o'clock, on the same day, for the balance of this session.

Mr. Link moved to amend said resolution, by striking out all after the word "Resolved," and inserting,

"That the standing hour of adjournment shall be 9 o'clock, A. M., and 6 o'clock, in the evening."

On motion of Mr. Whiteside,

Said resolution and proposed amendment were laid upon the table.

Mr. Oliver, from the select committee, to which was referred the Petition of Hezekiah West, of Johnson county, praying the adoption of a memorial to Congress to place said West on the Pension roll,

Reported a memorial to Congress, praying relief for losses sustained by said West's father during the Revolutionary war,

Which was read and adopted.

Ordered, That the Clerk inform the Senate thereof, and ask their concurrence therein.

On motion of Mr. Blackwell,

The Committee of the whole House was discharged from the further consideration of the resolution relative to the printing and binding the Laws and Journals of this session, &c. and

On further motion of Mr. Blackwell,

Said resolution was referred to a select committee of five.

Ordered, That Messrs. Blackwell, Fithian, Link, Whiteside and Cloud be that committee.

Mr. Cunningham, from the select committee, to which was referred the bill, entitled

"An act to authorize Ezra Baker to build a mill dam near Coffee Island, on the Great Wabash river,"

Reported the same back to the House without amendment.

The bill then passed.

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence therein.

On motion of Mr. Webb,

The 43d rule of the House was amended, by striking out the word "10," and inserting the word "9."

Mr. Trower, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill, entitled

"An act, to locate a State road from Shelbyville to the Great Wabash river, in Lawrence county, opposite Vincennes, in Indiana;"

Which was read the first time; and

Ordered to a second reading.

On motion of Mr. Dubois,

The rule of the House was dispensed with; and

The bill was now read the second time by its title; and

On the further motion of Mr. Dubois,

Referred to a select committee.

Ordered, That Messrs. Dubois, Trower and Cunningham be that committee.

The amendments of the Senate to the bill from the House of Representatives, entitled

"An act, to amend an act, entitled an act, relating to the Attorney General and State's Attorney,"

Were read;

A division of the question upon said amendments was called for;

The question was then taken upon the 1st, 2d, 3d and 4th amendments separately; and

Was concurred in.

Ordered, That the Clerk acquaint the Senate therewith.

The bill from the Senate, entitled

"An act further defining the powers and duties of trustees of incorporated towns,"

Was read the first time; and,

Ordered to a second reading.

On motion of Mr. Stuart,

The rule of the House was dispensed with, and
Said bill was now read the second time by its title; and
On the further motion of Mr. Stuart,
Referred to the committee on Petitions.

The resolution from the Senate, requesting the Governor
to forward Memorials and Resolutions, &c.

Was taken up and read.

Mr. Stuart moved to strike out the word "present;"

Which was not agreed to.

Mr. Henry moved to lay said resolution on the table until
the 4th day of July next;

Which was not agreed to.

Mr. Webb moved to amend said resolution by adding at
the end thereof the following, viz:

"The Governor shall be furnished with a copy of all such
Memorials and Resolutions, after their passage;"

Which was agreed to.

The resolution, as amended, was then adopted.

Ordered, That the Clerk inform the Senate thereof, and ask
their concurrence therein.

A message from the Senate by Mr. Davis, their Assistant
Secretary.

"MR. SPEAKER—I am directed to inform the House of Rep-
resentatives, that the Senate have concurred with them in the
passage of a bill, for

"An act to authorize a special term of the Circuit Court, in
the county of Fayette," as amended by them:

In which amendments they ask their concurrence.

And he withdrew.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

Mr. Ross, from the select committee to which was referred a
bill, from the Senate, entitled

"An act, to locate a State road from Pittsfield, in Pike coun-
ty, to Quincy, in Adams county,

Reported the same back to the House without amendment, and recommended a rejection of said bill.

On the question,

Shall said bill be read a third time?

It was decided in the negative.

Mr. Cunningham gave notice that, on Friday next, or some day thereafter, he will ask leave to introduce a bill, entitled

"An act making the office of Recorder elective by the People, every four years."

Mr. Webb from the committee on Finance to which was referred the bill entitled,

"An act in relation to Bank collectors;"

Reported back to the House a substitute,

Which was read and concurred in.

Ordered to be engrossed and read a third time.

Mr. Harris, from the select committee to which was referred the bill, entitled,

"An act to change part of the state road from Springfield to Alton,"

Reported the same back to the House with an amendment, Which was read and concurred in.

Ordered to be engrossed as amended for a third reading.

The bill from the Senate, entitled

"An act to authorise James Kinzie to change the town plat of the town of Wabonsie;"

Was read the third time, and passed.

Ordered, That the title of the bill be as aforesaid, and that the Clerk inform the Senate thereof.

The bill from the Senate, entitled

"An act concerning a state road therein named;"

Was read the third time as amended and passed.

Mr. Owen moved to amend the title of the bill so as to make it "An act to locate a state road from Rushville in Schuyler county, to the town of Commerce in Hancock county,"

Which was agreed to.

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof and ask their concurrence therein.

The Engrossed bill entitled,

"An act to extend the jurisdiction of Justices of the Peace, in certain cases therein named.

Was read the third time and passed.

Ordered, That the title of the bill be as aforesaid, that the

Clerk inform the Senate thereof, and ask their concurrence therein.

The engrossed bill, entitled

"An act to amend an act entitled an act granting pre-emption rights and for other purposes, approved March 2nd 1833."

Was read the third time; and,

On motion of Mr. Whiteside,

Referred to a select committee.

Ordered, That Messrs. Whiteside, Hughes, and Stuart be that committee.

The engrossed bill, entitled

"An act to amend an act regulating Mills and Millers, approved Feb. 9, 1827."

Was read the third time; and,

Mr. Carpenter of Hamilton moved to amend said bill by striking out the second section of said bill.

Mr. Rowan moved to amend said bill by striking out the word "failure," and insert the word "refusal."

Which was not agreed to.

Mr. Carpenter of Hamilton withdrew his motion.

Mr. Dawson moved to refer said bill to a select committee.

Which was not agreed to.

Mr. Webb moved the previous question.

On the question, Shall the main question be now put?

It was decided in the affirmative.

The main question was then put, Shall said bill now pass?

It was decided in the affirmative.

So the bill passed.

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence therein.

On motion of Mr. Wyatt,

The rule of the House was dispensed with, and the bill entitled,

"An act supplementary to an act entitled, an act to incorporate the Wabash Navigation Company," was now read the second time by its title, and

On motion of Mr. Gregory,

Referred to a select committee.

Ordered, That Messrs. Gregory, Ficklin, and Hunt, be that committee.

The bill, entitled

"An act for the relief of a person therein named,

Was read the second time,

Mr. Rowan moved to refer said bill to the committee on the Judiciary;

Which was not agreed to.

Ordered to be engrossed for a third reading; and

The bill entitled

"An act declaring the road from Mount Vernon, to New Nashville a state road,"

Was read the second time; and

Ordered to be engrossed, for a third reading.

The bill entitled,

"An act for the relief of Willard Twiss,"

Was read the second time;

Mr. Manly moved to refer said bill to a select committee,

Which was not agreed to.

Ordered, To be engrossed for a third reading.

The amendments of the Senate to the bill from the House entitled,

"An act to authorize a special term of the Circuit Court, in the county of Fayette,"

Were read and concurred in.

Ordered, That the Clerk acquaint the Senate therewith.

On motion of Mr. Dunn,

The bill entitled,

"An act concerning marks and brands," was taken up,

Mr. Dunn moved to amend the report of the select committee by striking out in the *Proviso* the words, "unless the same be manifestly his own property," and insert the words "where the property therein shall be in another person;"

Which was agreed to.

Mr. Webb moved to amend said bill by striking out the *Proviso*,

Which was not agreed to.

The amendments were then concurred in.

Mr. Henry moved to amend said bill by striking out the word "horse" wherever it occurs in said bill;

On motion of Mr. Blockburger,

Said bill and proposed amendments were referred to a select committee.

Ordered, That Messrs. Blockburger, Henry and Anderson be that committee.

On motion of Mr. Cloud,

The House now resolved itself into a committee of the Whole

House, to take into consideration the resolution relative to a United States' Bank, and a National Currency, &c.

Mr. Hughes in the Chair; and after some time spent herein

Mr. Speaker resumed the Chair, and

Mr. Hughes reported, That the committee of the Whole House, had, according to order, had said resolution under consideration, had made sundry amendments thereto, in which they ask the concurrence of the House;

Mr. Cloud called for a division of the question, on said amendments.

They were concurred in.

Mr. Wyatt moved to lay said resolution on the table until the 4th day of July next;

Which was not agreed to.—Yeas, 23—Nays, 30.

The yeas and nays being called for by Messrs. Gordon and Wyatt,

Those voting in the affirmative, are,

Messrs. Able, Anderson, Blockburger, Carpenter of Hamilton, Carpenter of Sangamon, Dougherty, Hackelton, Harris, Moore, McGahey, Murphy, Nunnally, Oliver, Outhouse, Owen Rowan, Thompson, Trower, Tunnel, Vandevanter, Whiteside, Wyatt, and Mr. Speaker—23.

Those voting in the negative, are,

Messrs. Blackwell, Bowyer, Brown, Butler, Clark, Cloud, Cunningham, Dawson, Dubois, Dunn, Elliott, Ficklin, Fithian, Frazer, Gordon, Hamlin, Harreld, Hampton, Henry, Hughes, Hunt, Hunter, Lincoln, Link, Mc-Henry, Ross, Stuart, Thomas, Webb, and Wren.—30.

Mr. Hughes moved that the House now adjourn.

Mr. Blackwell moved the previous question.

On the question, shall the main question be now put?

It was decided in the affirmative.

The question being put upon the adoption of the resolution as amended by the committee of the Whole House,

It was decided in the affirmative.—Yeas, 30, Nays, 23.

The yeas and nays being called for by Messrs. Harris and Nunnally,

Those voting in the affirmative, are,

Messrs. Blackwell, Brown, Butler, Clark, Cloud, Cunningham, Dawson, Dubois, Dunn, Elliott, Ficklin, Fithian, Frazer, Gordon, Hamlin, Harreld, Hampton, Henry, Hughes, Hunt, Lincoln, Link, Moore, McHenry, Ross, Rowan, Stuart, Thomas, Webb, and Wren.—30

Those voting in the negative, are,

Messrs. Able, Anderson, Blockburger, Bowyer, Carpenter of Hamilton, Carpenter of Sangamon, Dougherty, Hackelton, Harris, Hunter, McGahey, Murphy, Nunnally, Oliver, Out-house, Owen, Thompson, Trower, Tunnel, Vandevanter, White-side, Wyatt and Mr. Speaker—23.

Ordered, That the Clerk inform the Senate thereof, and ask their concurrence therein.

And then the House adjourned.

FRIDAY, *January 23, 1835.*

House met pursuant to adjournment.

A Message from the Senate, by Mr. White their Secretary.

“MR. SPEAKER—I am directed to inform the House of Representatives, that the Senate have concurred with them in the passage of bills, of the following titles.

“An act to amend an act regulating enclosures.”

“An act to provide for the election of County Recorders and Surveyors.”

“An act, further to amend an act, to authorize James Nabb, to build a toll bridge across the Embarrass river;”

“An act for the benefit of the Clerk of the circuit and county commissioners’ courts of La Salle county;”

“An act to change a part of the State road leading from Hillsboro’ to Shelbyville;”

“An act, to change a part of the State road leading from Macomb to Havana;” and

“An act for the benefit of the infant heirs of James Mason, deceased.”

“They have also concurred with them in the passage of a bill entitled,

“An act to incorporate the town of Mount Carmel in Wabash county.” as amended by them,

In which amendments they ask the concurrence of the House of Representatives.

They have passed bills of the following titles, viz:

"An act for the benefit of Peter Warren, John Storm, and Andrew Caldwell," and

"An act for the relief of the securities of Thomas Moore and others."

In the passage of which, they ask the concurrence of the House of Representatives.

They have adopted the following resolution, viz:

Resolved by the Senate and House of Representatives, That a joint select committee of two from the Senate and three from the House of Representatives be appointed to digest and publish in pamphlet form, the present School laws, with such amendments as the present legislature may engraft thereon, to be distributed among the several school districts in this state;" and have appointed Messrs. Edwards and Thomas the committee on their part.

In the adoption of which, they ask the concurrence of the House of Representatives.

And he withdrew.

Mr. Rowan moved to re-consider the vote taken yesterday upon the adoption of the resolution relative to the United States Bank, and a national currency, &c. And after discussion had thereon,

Mr. Carpenter of Hamilton moved the previous question.

On the question, shall the main question be now put?

It was decided in the affirmative.

The question was then put: Will the house re-consider the vote taken upon the adoption of said resolution?

It was decided in the affirmative.

Mr. Ficklin then moved the previous question.

On the question, shall the main question be now put?

It was decided in the negative.

Mr. Cloud moved to re-consider the vote taken upon concurring with the committee of the whole house in their amendments to the resolution.

Mr. Bowyer moved to lay said resolution upon the table.

Mr. Hughes moved the previous question.

On the question, shall the main question be now put?

It was decided in the affirmative.

The question recurring on the motion to re-consider the vote taken on concurring with the committee of the whole house their amendments to the resolution.

It was decided in the negative.

Mr. Webb moved the previous question.

The question was then taken upon laying said resolution on the table; and

Decided in the negative.—Yeas, 24, Nays, 31.

The yeas and nays being called for upon this motion by Messrs. Webb and Nunnally,

Those voting in the affirmative are,

Messrs. Able, Anderson, Blockburger, Bowyer, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Dougherty, Hackelton, Harris, Hunter, McGahey, Murphy, Nunnally, Oliver, Outhouse, Owen, Thompson, Trower, Tunnell, Vandevanter, Whiteside, Wyatt and Mr. Speaker.—24.

Those who voted in the negative, are,

Messrs. Blackwell, Brown, Butler, Clark, Cloud, Cunningham, Dawson, Dubois, Dunn, Elliott, Ficklin, Fithian, Frazer, Gregory, Gordon, Hamlin, Harreld, Hampton, Henry, Hughes, Hunt, Lincoln, Link, Manly, Moore, McHenry, Ross, Rowan, Stuart, Thomas, Trower, Webb and Wren.—31.

The question was then stated, shall the main question be now put? and

Decided in the affirmative,

The question was then put, will the house adopt the resolution?

The yeas and nays being called for on this question by Messrs. Webb and Cloud.

Those voting in the affirmative are

Messrs. Blackwell, Brown, Butler, Clark, Cloud, Cunningham, Dawson, Dubois, Dunn, Elliott, Ficklin, Fithian, Frazer, Gregory, Gordon, Hamlin, Harreld, Henry, Hughes, Hunt, Lincoln, Link, Manly, Moore, McHenry, Ross, Stuart, Thomas, Trower, Webb, and Wren—31.

Those voting in the negative are,

Messrs. Able, Anderson, Blockburger, Bowyer, Carpenter of Hamilton, Carpenter of Sangamon, Dougherty, Hackelton, Harris, Hampton, Hunter, McGahey, Murphy, Nunnally, Oliver, Outhouse, Owen, Rowan, Thompson, Tunnell, Vandevanter, Whiteside, Wyatt and Mr. Speaker.—24.

So the resolution was adopted.

Ordered, That the Clerk inform the Senate thereof, and ask their concurrence therein.

A Message from the Governor by A. P. Field, Secretary of State.

“MR. SPEAKER—I am directed by the Governor to present to the House of Representatives a written communication.”

Mr. Webb from the committee on Finance reported a bill, entitled,

"An act for the relief of debtors to the President and Directors of the State Bank of Illinois."

Which was read the first time; and

Ordered to a second reading.

Mr. Cloud from the committee on enrolled bills reported as correctly enrolled bills of the following titles, viz:

"An act, to locate and establish a State road therein named,"

"An act, for the benefit of the people of White county."

"An act to amend an act regulating the mode of trying the right of property."

"An act, to amend an act, entitled an act, prescribing the mode of summoning Grand and Petit jurors, and defining their qualifications and duties, approved Feb. 7th, 1827."

"An act for the relief of Lewis J. Clawson."

"An act, defining the duties of Public Printer, and fixing the time and manner of performing the same,"

"An act to vacate the survey and plat of the town of Venus in Hancock county."

"An act supplemental to an act, to locate permanently the seat of justice of Alexander county, approved January 18, 1833."

"An act to incorporate the Mount Carbon Coal Company."

"An act to authorize a special term of the Circuit Court in the county of Fayette;"

"An act entitled an act authorizing the administrators of James Mason, deceased, to execute deeds in certain cases."

Mr. Stuart from the committee on petitions to which was referred the petition of sundry citizens of Clay county, praying a resolution or memorial to Congress by the legislature for a certain mail route, reported the following resolution:

Which was read;

Resolved by the House of Representatives, (the Senate concurring herein,) That our Senators in Congress be instructed and Representatives be requested to use their best exertions to procure the passage of a law, establishing a mail route from Mount Carmel in Wabash county, to Maysville in Clay county. thence to Sutton's point in said county, thence to Vandalia in Fayette county.

Mr. Bowyer moved to amend the resolution by adding to the end thereof, the following, viz:

“From Vandalia to Golconda by way of Frankfort in Franklin county.”

Mr. Dubois moved to amend said amendment by adding the following, viz:

“From Vincennes to Jasper court house to Shelbyville in Shelby county;”

Which was not agreed to.

Mr. Blockburger moved to amend said amendment by adding the following, viz:

“From Shelbyville via Hillsboro’ to Edwardsville;”

Which was not agreed to.

The question then recurring upon the proposed amendment of Mr. Bowyer,

It was decided in the negative.

Mr. Anderson moved to amend said resolution by adding the following viz: “From Salem via Mount Vernon, via Frankfort to Golconda;”

Which was not agreed to.

The resolution was then adopted.

Ordered, That the Clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Stuart from the committee on petitions to which was referred the petitions of sundry citizens of Morgan county praying for additional justices districts in said county, reported unfavorably to the prayer of said petitions; a law having already passed affording the necessary relief; and asked to be discharged from the further consideration of said petitions.

On the question, shall said committee be discharged from the further consideration of said petitions?

It was decided in the affirmative.

On motion of Mr. Wren,

Resolved, That a committee of one from each judicial circuit in this state, be appointed to draft resolutions to Congress on the subject of mail routes.”

Ordered, That Messrs. Wren, Thomas, Wyatt, Ross, Hamlin, and Nunnally, be that committee.

Mr. Dawson from the committee on Internal Improvements to which was referred the resolution, instructing said committee to enquire into the expediency of incorporating a company to construct a rail road from the coal mines in St. Clair county to the Mississippi river opposite St. Louis, reported, that it is inexpedient at this time, and ask to be discharged from the further consideration of said resolution.

On motion of Mr. Thomas,

Said report was laid upon the table.

Mr. Trower, gave notice that on Saturday next, or some day thereafter, he should ask leave to introduce a bill, entitled
 "An act to change the name of Claiborne Elder."

And also a bill entitled,

"An act for an appropriation out of the funds arising from the sales of lots in the town of Vandalia."

Mr. Nunnally presented the petition of sundry citizens of Clark county, praying the removal of the county seat of said county

On his motion,

The reading thereof was dispensed with, and the same

Was referred to the same select committee, to which was referred the bill, petitions and remonstrances on the same subject.

Mr. Manly presented the remonstrances of sundry citizens of Clark county, remonstrating against the removal of the county seat of said county, and

On his motion,

The reading thereof was dispensed with, and the same

Was referred to the same select committee, to which was referred the bill, petitions, remonstrances, and foregoing petition on the same subject were referred.

Mr. Outhouse from the select committee, to which was referred the petition of Nancy McCracken, reported a bill entitled,
 "An act for the benefit of the persons therein named;"

Which was read the first time; and

Ordered to a second reading.

On motion of Mr. Manly,

Resolved, That the Engrossing and Enrolling Clerk of this House, be permitted to call to his aid, some suitable person, to assist him in the discharge of his official duties."

Mr. Rowan from the joint select committee, appointed to confer on the disagreeing vote of the two houses upon the amendments of the Senate to the bill entitled,

"An act supplemental to an act entitled an act relative to Wills and Testaments;" reported,

That said committee had had the subject under consideration and had recommended, that the Senate recede from its amendment striking out the preamble, and that the house agree to the other amendments of the Senate.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

Mr. Stuart from the committee on petitions, to which was referred the petition of sundry citizens of Tazewell county praying for an alteration in a certain state road therein named, reported a bill entitled,

"An act to change a state road therein named;"

Which was read the first time; and

Ordered to a second reading.

On motion of Mr. Butler,

The rule of the House was dispensed with; and

Said bill was now read the second time by its title, and

On further motion of Mr. Butler,

Referred to a select committee.

Ordered, That Messrs. Butler, Hackelton, and Owen, be that committee.

Mr. Henry from the select committee to which was referred the bill entitled,

"An act to locate a state road therein named, and for other purposes;"

Reported the same back to the House with an amendment;

Which was read and concurred in.

Ordered, That said bill as amended, be engrossed for a third reading.

Mr. McHenry, from the select committee, to which was referred the engrossed bill, entitled

"An act to change the number of petitioners necessary to obtain a sale of School Lands;" reported back to the house a substitute,

Which was read and concurred in.

A message from the Senate by Mr. Davis, their Assistant Secretary.

"Mr. SPEAKER,—I am directed to inform the House of Representatives, that the Senate have concurred in the report of the committee of conference, on the disagreeing vote of the two houses in relation to the bill from the House of Representatives entitled

"An act supplemental to an act entitled an act relative to Wills and Testaments;" and have receded from their amendment to said bill striking out the preamble;"

And he withdrew.

Mr. Gordon from the select committee to which was referred the bill entitled,

"An act to amend an act simplifying proceedings at law for the collection of debts, approved February 25, 1833;"

Reported the same back to the House with an amendment,
Which was read, and

On motion of Mr. Stuart,

Said bill and proposed amendment were referred to the committee on the Judiciary.

Mr. Blackwell from the select committee to which was referred the resolution relative to the printing and binding of the laws and journals of this session, reported the same back to the House with an amendment.

Which was read:

Mr. Blackwell moved to fill the first blank in said resolution with 3000; (No. of copies of the laws to be printed.)

Mr. Cloud proposed 2000;

Mr. Hughes proposed 2500;

The question being taken on filling the blank with 3000;

It was decided in the negative.

Mr. Gregory proposed 2800;

Which was agreed to.

So the blank was filled with 2800;

Mr. Blackwell proposed to fill the second blank in said resolution with 500; (No. of copies of the journals to be printed.)

Mr. Dougherty proposed 2000;

Mr. Moore proposed 1000;

The question being taken on filling the blank with 2000;

It was decided in the negative.

Mr. Nunnally proposed 1500;

Which was not agreed to.

Mr. Dougherty proposed 1200;

It was decided in the negative.—Yeas 22. Nays 30.

The yeas and nays being called for by Messrs. Dougherty and Rowan,

Those voting in the affirmative, are,

Messrs. Able, Anderson, Blockburger, Bowyer, Carpenter of Sangamon, Cunningham, Dougherty, Henry, Hughes, Manly, Mc-Henry, Nunnally, Oliver, Owen, Ross, Rowan, Stuart, Whiteside, Webb, Wren, Wyatt, and Mr. Speaker—22.

Those voting in the negative, are,

Messrs. Blackwell, Brown, Butler, Carpenter of Hamilton, Clark, Cloud, Dawson, Dubois, Dunn, Elliott, Fithian, Frazer,

Gregory, Gordon, Hackelton, Hamlin, Harris, Harreld, Hampton, Hunt, Hunter, Lincoln, Link, Moore, McGahey, Outhouse, Thomas, Trower, Tunnel, and Vandevanter.—30.

The question then being taken upon filling said blank with one thousand;

It was decided in the affirmative.

Mr Nunnally moved to amend said resolution by striking out all in relation to the binding, and insert "in pamphlet form, and that one copy of the journals of each House be distributed to each person who now is, or may hereafter be entitled to a copy of the laws of this state;"

Which was not agreed to.

The resolution as amended was then adopted.

Ordered, That the Clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Dubois from the select committee to which was referred the bill, entitled,

"An act to locate a state road from Shelbyville to the Great Wabash river in Lawrence county, opposite Vincennes in Indiana;"

Reported the same back to the House without amendment.

Ordered, To be engrossed for a third reading.

Mr. Stuart from the committee on petitions to which was referred the memorial from the President and Trustees of the town of Springfield, praying an alteration in the corporate powers of said town; reported that the bill which has passed the Senate and now referred to your committee, has remedied the inconvenience of your memorialists; and they recommend the passage of said bill, and ask to be discharged from the further consideration of said memorial.

On the question, Shall said committee be discharged from the further consideration of said memorial?

It was decided in the affirmative.

Mr. Stuart from the select committee to which was referred the bill from the Senate entitled;

"An act further defining the powers and duties of trustees of incorporate towns;"

Reported the same back to the House without amendment;

Ordered to a third reading.

Mr. Blockburger from the select committee to which was referred the engrossed bill entitled,

"An act concerning marks and brands;"

Reported back to the House a substitute,

Which was read and concurred in.

Mr. Hamlin in pursuance of previous notice, asked and obtained leave to introduce a bill entitled,

"An act to amend an act entitled an act, to lay out a state road from Peoria to Chicago;"

Was read the first time; and,

Ordered to a second reading.

Mr. Ross in pursuance of previous notice asked and obtained leave to introduce a bill entitled,

"An act declaring the Snicarty, a branch of the Mississippi river, a navigable stream;"

It was read the first time; and,

Ordered to a second reading.

On motion of Mr. Moore,

The resolution and amendments of the Senate to the resolution relative to the Seminary fund some days since laid upon the table; were taken up;

On the question will the House concur with the Senate, in their amendments to said resolution?

Which was decided in the affirmative. Yeas, 33.—Nays 17.

The yeas and nays being called for by Messrs. Nunnally, and Murphy,

Those voting in the affirmative, are,

Messrs. Able, Anderson, Blackwell, Blockburger, Bowyer, Butler, Carpenter of Hamilton, Dougherty, Dubois, Ficklin, Fithian, Gordon, Hackelton, Harris, Harreld, Hampton, Hughes, Hunt, Hunter, Link, Moore, McGahey, Murphy, Nunnally, Oliver, Outhouse, Owen, Rowan, Thompson, Vandevanter, and Webb.—33.

Those voting in the negative, are,

Messrs. Brown, Carpenter of Sangamon, Cloud, Dawson, Elliott, Frazer, Gregory, Hamlin, Henry, Lincoln, Stuart, Thomas, Trower, Tunnel, Whiteside, Wyatt and Mr. Speaker—17.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Hughes moved to take up the bill entitled,

"An act altering the state road from Vincennes to St. Louis;" some days since laid upon the table,

Which was not agreed to.

The report of the committee of conference on the disagreeing vote of the two Houses, on the bill entitled,

"An act supplemental to an act entitled, an act relative to Wills and Testaments;"

Was read and concurred in.

Ordered, That the Clerk inform the Senate thereof.

The communication this day received from the Governor, was read, and is as follows:

EXECUTIVE DEPARTMENT, }
Vandalia, January 22, 1835. }

To the Hon. the SPEAKER of the House of Representatives:

SIR:—In compliance with a resolution of the House of Representatives of the 6th of December last, calling upon this Department for certain information relative to the amount due the State Bank and Branches, upon individual security, Mortgages, late Treasurer, and the several late cashiers; and the probable amount the state will lose by the late decision of the Supreme Court; I have the honor to enclose the within statement from the Treasurer of State, containing all the information, which can be had on that subject;

I have the honor to be,
your obedient servant,

JOSEPH DUNCAN.

The accompanying statement was then read and is as follows:

“STATE OF ILLINOIS, TREASURER’S OFFICE, }
Vandalia, January 21, 1835. }

SIR:—In accordance with your request, I submit the following statement; (abstract of my bank report, which I have this day laid before the General Assembly,) in obedience to a law passed at the last General Assembly, in force February 25, 1833: viz:

| | | |
|------------------------------------|--|--------------|
| Amount due on individual security, | | |
| To State Bank and Branches, | | \$59,925 14 |
| Mortgage - - - - | | 19,585 20 |
| From late Treasurer, - - | | 8,601 21 |
| Cashiers, - - - - | | 18,838 00 |
| | | <hr/> |
| | | \$106,949 55 |

In the amount above stated to be due on Mortgages, a number of amounts are included, where the mortgaged premises have been sold, and have fallen short of paying the original loan.

How large a portion of the notes, &c., due the Bank and Branches, are in judgment, the books and papers of the institution returned to this office do not show.

It is probable, that at least two thirds of the amount, owing by those debtors, who were within the reach of the process of Courts, before the late decision of the Supreme Court, were re-

duced to judgment. These, of course, are not affected by that decision, and of the several amounts, upon which suits are now pending, or where suits have not been commenced, it is impossible to estimate, in how many of them, involving an uncertain amount, such pleas, may be interposed, as will enable defendants to avail themselves of said decision.

I am, very respectfully,

your obedient servant,

JOHN DEMENT, *Treasurer.*

His Excellency, Gov. DUNCAN.

Mr. Dawson moved to refer the communication and accompanying statement to the committee on Finance.

Mr. Whiteside moved to lay them on the table;

The question being put on referring to the committee on Finance.

It was decided in the negative.

The question being put on laying upon the table.

It was decided in the affirmative.

Mr. Blackwell moved that the House now adjourn,

Which was not agreed to.

The orders of the day being called for,

Mr. Dawson moved that the House adjourn until 7 o'clock this evening;

Mr. Thomas moved that the House adjourn;

Which motion prevailed.

And then the House adjourned.

SATURDAY, January 24, 1835.

House met pursuant to adjournment.

A Message from the Governor by A. P. Field, Secretary of State.

“Mr. SPEAKER—I am directed by the Governor to present to the House of Representatives a written communication.”

And he withdrew.

Mr. Hamlin presented the petition of sundry citizens of Peoria, praying the passage of an act incorporating them under

the name of the "Rector, Wardens, and Vestry men of St. Jude's Church;"

Which was read, and

On motion of Mr. Hamlin,

Referred to the Committee on Petitions.

Mr. Butler presented the petition of sundry citizens of Warren county, praying the passage of an act authorizing Martha Whitman, Executrix of Christopher Whitman, deceased, to sell certain lands;

The reading of which, was,

On his motion,

Dispensed with, and the same

Was referred to the Committee on Petitions.

Mr. Dunn presented the petition of Peter Butler, late Sheriff of Warren county, praying certain relief;

Which was read, and

On his motion,

Referred to the committee on Public Accounts and Expenditures.

Mr. Speaker laid before the House the communication this day received from the Governor;

Which was read, and is as follows, viz:

EXECUTIVE DEPARTMENT, }
Vandalia, January 22, 1835. }

To the Hon. the SPEAKER of the House of Representatives:

SIR:—I have the honor to present to the House of Representatives, "A memorial and joint resolutions of the General Assembly of Indiana," soliciting aid to improve the Great Northern chain of communication from the Maumee Bay in Ohio, to the rapids of the Illinois river.

I have the honor to be,

your obedient servant,

JOSEPH DUNCAN.

On motion of Mr. Webb,

The reading of the accompanying Memorial and resolutions was dispensed with, and said Communication, Memorial, and Resolutions were

Referred to the committee on Internal Improvements.

Mr. Butler, from the select committee to which was referred the bill, entitled

"An act to organize the county of Mercer;"

Reported the same back to the House with an amendment,

Which was read and concurred in.

Ordered to be engrossed, as amended, for a third reading.

Mr. Dunn from the committee on the Judiciary, to which was referred the bill entitled,

"An act for the benefit of the widow and heirs of Reuben Goddard, deceased ;"

Reported the same back to the House with an amendment, Which was read and concurred in.

Ordered to be engrossed as amended for a third reading.

Mr. Dunn from the select committee, to which was referred the communication of the Governor, and enclosed statements of the Auditor and Treasurer, relative to the pre-emption claims of Campbell and Walker to Canal lands, reported thereon and asked to be discharged from the further consideration of said communication;

On the question, shall said committee be discharged from the further consideration of said communication?

It was decided in the affirmative.

On motion of Mr. Webb,

Said communication and accompanying documents were referred to the same select committee, to which was referred the bill entitled,

"An act to amend an act entitled an act granting pre-emption rights and for other purposes, approved March 2nd 1833."

Mr. Gregory from the committee on Education to which was referred the bill, entitled,

"An act concerning the School Fund,"

Reported the same back to the House with an amendment; Which was read and concurred in.

Ordered, That said bill as amended, be engrossed for a third reading.

A Message from the Senate, by Mr. White their Secretary.

"MR. SPEAKER—I am directed to inform the House of Representatives, that the Senate have concurred with them in the passage of bills, of the following titles.

"An act for the benefit of the Sheriffs therein named;"

"An act to change the county line, between Perry and Franklin counties;" and

"An act to amend an act regulating elections;" as severally amended by them, in which amendments they ask the concurrence of the House of Representatives.

They have also concurred with them in the passage of bills of the following titles, viz:

"An act to lay out a state road from the Wabash to the Yellow Banks on the Mississippi;"

"An act establishing a State Road;"

"An act to change a part of the State Road leading from Greenville to Vandalia;" and

"An act to incorporate the Jacksonville Female Academy;"

They have passed bills of the following titles, viz:

"An act to provide for the security of School funds;" and

"An act to amend an act entitled an act to provide for the application of the interest of the fund arising from the sale of School lands, belonging to the several townships in this state, approved, March 1, 1833;"

In the passage of which, they ask the concurrence of the House of Representatives.

They have refused to read the third time, the bill from the House of Representatives entitled,

"An act authorising Benjamin Howland and Henry L. Brush to build a Mill Dam across Fox river;"

And he withdrew.

Mr. Dunn, from the committee on the Judiciary, to which was referred the bill from the Senate entitled,

"An act allowing appeals in certain cases;"

Reported the same back to the House without amendment;

Ordered to be engrossed, for a third reading.

A Message from the Governor by A. P. Field, Secretary of State.

"MR. SPEAKER—I am directed by the Governor to present to the House of Representatives a written communication."

And he withdrew.

Mr. Webb, from the committee on Finance, to which was referred the bill entitled,

"An act for the relief of Justus Post, Rene Paul and others;"

Reported back to the House a substitute,

Which was read, and

Mr. Wyatt moved to lay said bill and proposed substitute on the table, until the 4th day of July next.

Mr. Stuart moved to refer said bill and proposed substitute, to a committee of the Whole House,

Which was not agreed to.

Mr. Gregory moved to lay said bill and proposed substitute upon the table,

Which was decided in the affirmative.—Yeas, 32, Nays, 18.

The yeas and nays being called for by Messrs. Dougherty and Rowan,

Those voting in the affirmative, are,

Messrs. Able, Anderson, Blackwell, Blockburger, Brown, Butler, Carpenter of Sangamon, Dubois, Dunn, Elliott, Fithian, Frazer, Gregory, Gordon, Hackelton, Hamlin, Harreld, Hampton, Henry, Hughes, Hunter, Lincoln, Moore, Oliver, Outhouse, Owen, Stuart, Thomas, Tunnel, Whiteside, Webb, and Mr. Speaker.—32.

Those voting in the negative, are,

Messrs. Bowyer, Carpenter of Hamilton, Clark, Cloud, Cunningham, Dawson, Dougherty, Ficklin, Harris, Hunt, Link, McGahey, McHenry, Murphy, Nunnally, Rowan, Trower, and Wyatt.—18.

A message from the Senate, by Mr. White their Secretary.

"MR. SPEAKER:—I am directed to inform the House of Representatives, that the Senate have concurred with them in the passage of a bill of the following title, viz:

"An act concerning public roads;" as amended by them,

In which amendments they ask the concurrence of the House of Representatives.

And then he withdrew.

A message from the Governor by A. P. Field, Secretary of State.

MR. SPEAKER.—I am directed by the Governor to lay before the House of Representatives a communication in writing.

And then he withdrew.

Mr. Speaker laid before the House a communication this day received from the Governor, which was read, and is follows:

EXECUTIVE DEPARTMENT,
Vandalia, January 23d, 1835. }

To the Hon., the SPEAKER of the House of Representatives.

SIR:—I beg leave to inform the House of Representatives, that a vacancy has occurred in the office of County Surveyor, for the county of Green, by the resignation of Samuel Smith.

I have the honor to be,

Your obedient servant,

JOSEPH DUNCAN."

On motion of Mr. Gregory,
Laid upon the table.

On motion of Mr. Gregory,

"Resolved, By the House of Representatives, that Job Collins be recommended to the Senate, as a suitable person to fill the office of County Surveyor of Green county;"

Ordered, That the Clerk inform the Senate thereof.

Mr. Stuart in pursuance of previous notice, asked and obtained leave to introduce a bill entitled,

“An act to repeal an act therein named;”

Which was read the first time, and,

Ordered to a second reading.

On motion of Mr. Cloud,

The rule of the House was dispensed with; and

Said bill was now read the second time by its title, and

On motion of Mr. Blackwell,

Referred to a select committee.

Ordered, That Messrs. Blackwell, Stuart, and Link, be that committee.

Mr. Dunn, from the committee on the Judiciary, to which was referred the bill entitled,

“An act to amend an act entitled an act relative to promissory notes, bonds, due-bills, and other instruments in writing, and making them assignable, approved, January 3, 1827;”

Reported the same back to the House without amendment; and recommended a rejection of the said bill.

On the question, shall said bill be engrossed for a third reading?

It was decided in the negative.—Yeas 22, Nays 23.

The yeas and nays being called for by Messrs. Link and Cunningham,

Those voting in the affirmative, are,

Messrs. Anderson, Bowyer, Carpenter of Hamilton, Cloud, Cunningham, Elliott, Fithian, Harris, Harreld, Hampton, Hughes, Hunt, Hunter, Lincoln, Moore, McHenry, Murphy, Rowan, Whiteside, Webb, Wyatt and Mr. Speaker—22.

Those voting in the negative, are,

Messrs. Able, Blackwell, Blockburger, Brown, Butler, Carpenter of Sangamon, Clark, Dawson, Dunn, Ficklin, Gordon, Hackelton, Hamlin, Henry, Link, McGahey, Nunnally, Oliver, Outhouse, Owen, Stuart, Thomas, and Trower.—23.

So the House refused to engross and read the bill the third time.

Mr. McGahey presented the petition of sundry citizens of Crawford and Lawrence counties, praying a review of a certain State Road therein named;

On his motion,

The reading thereof was dispensed with, and the same

Referred to a select committee.

Ordered, That Messrs. McGahey, Dubois, and Nunnally be that committee.

Mr. Fithian gave notice that on Monday next or some day thereafter, he will ask leave to introduce a bill entitled,

"An act to amend an act entitled an act for the relief of the poor, approved March, 1, 1833;"

And then the House adjourned.

2 o'clock, P. M.

House met pursuant to adjournment.

Mr. Hughes from the Committee on Public Accounts and Expenditures, to which was referred the petition of Peter Butler, late Sheriff of Warren county, praying certain relief, &c. reported a bill, entitled,

"An act for the relief of Warren county;"

Which was read the first time; and

Ordered to a second reading.

Mr. Cloud from the committee on enrolled bills reported as correctly enrolled bills of the following titles, viz:

"An act to authorize a special term of the Circuit Court in the county of Fayette;"

"An act to amend an act regulating the mode of trying the right of property;"

"An act to incorporate the Mount Carbon Coal Company;"

"An act supplemental to an act to locate permanently the seat of justice of Alexander county, approved, January 18, 1833;"

"An act to vacate the survey and plat of the town of Venus in Hancock county;"

"An act to locate and establish state road therein named;"

"An act to change part of certain State Roads;"

"An act to amend an act prescribing the mode of summoning Grand and Petit Jurors, and defining their qualifications and duties, approved, February 7th, 1827;"

"An act defining the duties of Public Printers, and fixing the time and manner of performing the same;"

"An act entitled an act for the relief of Lewis J. Clawson;"

"An act for the relief of the people of White county;"

"An act authorizing the Administrators of James Mason, deceased, to execute deeds in certain cases.

A message from the Council of Revision, by Mr. Brown their Secretary.

"Mr. SPEAKER—The Council of Revision have approved bills of the following titles, viz:

"An act to locate and establish a State road therein named,"

"An act to amend an act, prescribing the mode of summoning Grand and Petit Jurors, and defining their qualifications and duties, approved Feb. 7th, 1827."

"An act to change part of certain State Roads."

"An act to authorize a Special Term of the circuit court in the county of Fayette."

"An act defining the duties of Public Printers, and fixing the time and manner of performing the same."

"An act to incorporate the Mount Carbon Coal Company."

"An act supplemental to an act to locate permanently the seat of Justice of Alexander county, approved Jan. 18, 1833.

"An act entitled an act for the relief of Lewis J. Clawson."

"An act for the relief of the people of White county."

An act authorizing the administrators of James Mason deceased, to execute deeds in certain cases," and

"An act to vacate the survey and plat of the town of Venus, in Hancock county."

And he withdrew.

Mr. Wren gave notice that on Monday next, or some day thereafter, he will ask leave to introduce a bill, entitled

"An act to form Medical Societies."

Mr. Dunn from the committee on the Judiciary to which was referred the bill entitled;

"An act in relation to Judges of Probate Courts,"

Reported the same back to the House without amendment, and recommended a rejection of said bill.

On the question,

Shall said bill be engrossed and read a third time?

It was decided in the negative.

Mr. Carpenter of Sangamon, gave notice that on Monday next, or some day thereafter, he will ask leave to introduce a bill, entitled

"An act to authorize the county commissioners of Sangamon county to build a bridge across the Sangamon river.

A message from the Senate by Mr. Davis, their Assistant Secretary.

"MR. SPEAKER,—I am directed to inform the House of Representatives, that the Senate have confirmed the nomination made by the House of Representatives of Job Collins for County Surveyor of Green County;"

And he withdrew.

Amendments of the Senate to the bill from the House of Representatives, entitled

"An act concerning public roads,"

Were read, and

On motion of Mr. Gregory,

Said bill and amendments were laid on the table.

The amendments of the Senate to the bill from the House of Representatives, entitled

"An act for the benefit of the Sheriffs therein named,
Were read.

Mr. Hughes moved to amend the amendments of the Senate by adding the words, "St. Clair," after the word "Perry;"

Which was agreed to.

The amendments of the Senate, as amended; were concurred in.

Ordered, That the Clerk inform the Senate thereof, and ask their concurrence therein.

The engrossed bills, entitled

"An act to incorporate the Jacksonville and Meredocia Rail Road Company,"

"An act in relation to Bank Collectors,"

"An act to change a part of the State road from Springfield to Alton,

"An act for the relief of a person therein named,

"An act declaring the road from Mount Vernon to New Nashville a State road,"

"An act, for the relief of Willard Twiss,"

"An act, to locate a State road therein named, and for other purposes,"

"An act to change the number of petitioners necessary to obtain a sale of School lands,"

"An act to locate a state road from Shelbyville to the Great Wabash river in Lawrence county, opposite Vincennes in Indiana," and

"An act concerning marks and brands,"

Were read the third time, and passed.

Ordered, That the titles of the bills be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence therein.

On motion of Mr. Blackwell,
The rule of the House was dispensed with; and
The bill engrossed entitled,

"An act to incorporate the Carmi Bridge Company,"

Was now read the third time, and by its title, and passed.

Ordered, That the title of the bill be as aforesaid, and that the Clerk inform the Senate thereof and ask their concurrence therein.

The engrossed bill entitled,

"An act to limit the jurisdiction of Justices of the Peace,"

Was read the third time; and,

On the question, Shall said bill pass?

Decided in the affirmative.—Yeas, 39, Nays, 7.

The yeas and nays being called for upon this motion by Messrs. Gordon and Hunter,

Those voting in the affirmative are,

Messrs. Able, Blockburger, Bowyer, Brown, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cloud, Cunningham, Dawson, Elliott, Fithian, Frazer, Gordon, Hackelton, Hamlin, Harris, Harreld, Hampton, Hunt, Hunter, Lincoln, Link, Moore, McGahey, McHenry, Murphy, Nunnally, Outhouse, Owen, Ross, Stuart, Thomas, Vandevanter, White-side, Webb, Wyatt and Mr. Speaker.—39.

Those who voted in the negative, are,

Messrs. Anderson, Blackwell, Ficklin, Gregory, Henry, Hughes and Oliver—7. So the bill passed.

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof and ask their concurrence therein.

The bill from the Senate, entitled

"An act further defining the powers and duties of trustees of incorporated towns;"

Was read the third time and passed.

Ordered, That the Clerk inform the Senate thereof.

The bills entitled

"An act to prevent trespassing upon the Canal Lands of this State,"

"An act to change a state road therein named;"

"An act to amend an act entitled an act, to lay out a state road from Peoria to Chicago;" and

"An act declaring the Snicarty, a branch of the Mississippi river, a navigable stream;"

Were severally read the second time; and,

Ordered to be engrossed for a third reading.

The bill entitled

"An act, to amend an act, entitled an act, providing for the election of Justices of the Peace and Constables, approved Dec. 30, 1826,"

Was read the second time; and

On further motion of Mr. Hughes,

Referred to a select committee of five.

Ordered, That Messrs. Hughes, Link, Dawson, Bowyer and Carpenter of Hamilton, be that committee.

The bill entitled

"An act for the relief of debtors to the State bank of Illinois,"

Was read the second time, and

On motion of Mr. Dunn,

Referred to a select committee.

Ordered, That Messrs. Dunn, Lincoln, and Harris be that committee.

The bill entitled,

An act for the benefit of the persons therein named,"

Was read the second time; and,

On the further motion of Mr. Hunter,

Referred to a select committee.

Ordered, That Messrs. Hunter, Outhouse and Murphy be that committee.

Mr. Gregory moved, that

The House now resolve itself into a Committee of the Whole House, to take into consideration the bill, entitled

"An act to provide for the distribution and application of the interest of the several School Funds,"

Which was not agreed to.

On motion of Mr. Blackwell,

The House now resolved itself into a committee of the Whole House, to take into consideration,

The bill entitled

"An act providing compensation for Grand and Petit Jurors,"

Mr. Moore in the Chair, and

After some time spent therein,

Mr. Speaker resumed the Chair, and

Mr. Moore reported, that

The Committee of the whole House had, according to order, had said bill under consideration, had made some progress therein, and directed him to ask leave to sit again on said bill.

On the question,

Shall the Committee of the whole have leave to sit again on said bill?

It was decided in the affirmative.

And then the House adjourned until Monday morning, 9 o'clock.

MONDAY, *January* 26, 1835.

House met pursuant to adjournment.

Mr. Hamlin, from the select committee to which was referred the petition of sundry citizens of Cook county in township 39, North, Range 14 East, relative to Common Schools, reported a bill, entitled

"An act regulating Schools in township 39 North, Range 14 East,"

Was read the first time; and,

Ordered to a second reading.

On motion of Mr. Stuart,

The rule of the House was dispensed with, and the said bill, was now read the second time by its title; and

On the further motion of Mr. Stuart,

Referred to the committee on Education.

Mr. Speaker laid before the House a communication some days since received from the Governor, which was read, and is follows:

"EXECUTIVE DEPARTMENT, }
Vandalia, January 22d, 1835. }

To the Hon., the SPEAKER of the House of Representatives.

SIR:—I beg leave to inform the House of Representatives, that there is not any Judge of Probate elected for the county of Jasper.

I have the honor to be,

Your obedient servant,

JOSEPH DUNCAN."

On motion of Mr. Dubois,
Laid upon the table.

Mr. Blackwell presented the petition of sundry citizens of Fayette county, praying the establishment of a State road from Vandalia to Springfield; and

On his motion,

The reading thereof was dispensed with, and the same
Was referred to the Committee on Petitions.

Mr. Cloud from the committee on enrolled bills reported as correctly enrolled bills of the following titles, viz:

"An act for the benefit of the infant heir of James Mason, deceased;"

"An act to lay out a state road from the Wabash to the Yellow Banks on the Mississippi;"

"An act to provide for the election of County Recorders and Surveyors;"

"An act to authorise James Kinzie to change the town plat of the town of Wabonsie."

Mr. Wren, in pursuance of previous notice, asked and obtained leave to introduce a bill entitled,

"An act to form Medical Societies."

Which was read the first time; and

Ordered to a second reading.

Mr. Thomas presented the petition of sundry citizens of the town of Alton praying an additional Justice's district; and

On his motion,

The reading thereof was dispensed with, and the same
Was referred to a select committee.

Ordered, That Messrs. Thomas, Tunnel and Link, be that committee.

Mr. Fithian presented the petition of sundry citizens of Champagne county praying for the removal of the County Seat of said county; and

On his motion,

The reading thereof was dispensed with, and the same
Referred to the committee on Petitions.

Mr. Gordon, from the select committee, to which was referred the bill entitled,

"An act to reduce the fees of Justices of the Peace and Constables, in certain cases, together with the report of the select committee on the same.

Reported the same back to the House with an amendment,
Which were read.

Mr. Manly moved to recommit said bill and proposed amendments to a select committee of five.

Mr. Dubois moved to lay said bill and proposed amendments upon the table until the 4th day of July next.

The question being put upon recommitting said bill and proposed amendments to a select committee of five,

It was decided in the affirmative.

Ordered, That Messrs. Manly, Anderson, Blockburger, Oliver and Cunningham be that committee.

Mr. Ficklin, from the select committee to which was referred the bill, entitled

"An act concerning the revenue of counties,"

Reported the same back to the House with an amendment, Which was read and concurred in.

Mr. Gordon moved to amend the bill by striking out the words, "1st Sept." and inserting the words, "1st of May,

Which was agreed to.

Ordered to be engrossed, as amended, for a third reading

Mr. Hughes, from the select committee to which was referred the bill, entitled,

"An act for the relief of the Sheriff of Union county,

Reported the same back to the House without amendment;

Ordered to be engrossed, for a third reading.

Mr. Wyatt, from the select committee to which was referred the bill, entitled,

"An act to establish a State road from Crows, in the county of Morgan, by way of Athens, in Sangamon county, to Musick's bridge, on Salt Creek," together with the amendments of the Senate thereto,

Reported the same back to the House, with an amendment to the amendments of the Senate.

Mr. Gordon moved to further amend the amendment of the Senate by adding at the end thereof, the following, viz:

"*Provided*, The County Commissioners' Court of Morgan County give their consent thereto,"

Which was not agreed to.

The report of the select committee was then concurred in.

The amendment of the Senate, as amended, were concurred in.

Ordered, That the Clerk inform the Senate thereof, and ask their concurrence to the amendment of the House to the amendment of the Senate herein.

Mr. Hughes, from the select committee to which was referred the bill, entitled

"An act to amend an act, relative to criminal Jurisprudence, approved February 26, 1833,"

Reported the same back to the House with an amendment, Which was read and concurred in.

On motion of Mr. Ficklin,

Said bill was referred to a select committee.

Ordered, That Messrs. Ficklin, Nunnally and Dawson be that committee.

On motion of Mr. Gregory,

The engrossed bill, entitled

"An act concerning Public roads," with the amendments of the Senate thereto,

Were taken up.

The amendments of the Senate were then read and concurred in.

Ordered, That the Clerk inform the Senate thereof.

The amendment of the Senate to the bill from the House of Representatives, entitled

"An act to change the county line between between Perry and Franklin counties,"

Was read, and

On motion of Mr. Murphy,

Said bill and amendment were referred to a select committee.

Ordered That Messrs. Murphy, Wren and Bowyer be that committee.

The amendments of the Senate to the bill from the House, entitled,

"An act to amend an act regulating Elections;"

Were read and concurred in.

Ordered, That the Clerk inform the Senate thereof.

The bill from the Senate, entitled

"An act providing for the security of School Funds,"

Which was read the first time; and

Ordered to a second reading.

On motion of Mr. Link,

The rule of the House was dispensed with, and the same

Was read the second time, and by its title.

Mr. Link moved to refer said bill to a select committee.

Mr. Moore moved to refer said bill to the committee on Education.

On the question of referring said bill to a select committee,
It was decided in the affirmative.

Ordered, That Messrs. Link, Murphy and McGahey be that committee.

The bill from the Senate, entitled

"An act to amend an act entitled an act to provide for the application of the interest of the fund arising from the sale of School lands, belonging to the several townships in this state, approved, March 1, 1833;"

Was read the first time; and

Ordered to a second reading.

On motion of Mr. Hamlin,

The rule of the House was dispensed with, and

The same was now read the second time, and by its title.

On motion of Mr. Rowan,

Referred to the Committee on Education.

A message from the Senate by Mr. Davis, their Assistant Secretary.

"Mr. SPEAKER,—I am directed to inform the House of Representatives, that the Senate have concurred with them in their amendment to the amendment of the Senate to the bill from the House, entitled

"An act for the benefit of the Sheriffs therein named," as amended by them, in which amendment of the Senate to the amendment of the House of Representatives to the amendment of the Senate, they ask the concurrence of the House of Representatives.

And then he withdrew.

The amendments of the Senate to the bill from the House of Representatives, entitled

"An act to incorporate the town of Mount Carmel, in Wabash county,"

Were read.

Mr. Ficklin called for a division of the question on said amendments.

The question being then taken upon the 4th amendment of the Senate;

It was not concurred in.

The question being taken, then, upon the other amendments of the Senate,

They were concurred in.

Ordered, That the Clerk inform the Senate thereof.

The bill from the Senate entitled,

"An act for the benefit of Peter Warren, John Storm and Andrew Caldwell,"

Was read the first time, and,

Ordered to a second reading.

The bill from the Senate, entitled,

An act for the relief of the securities of Thomas Moore and others,"

Was read the first time, and

Ordered to a second reading.

On motion of Mr. Owen;

The rule of the House was dispensed with, and

The same was now read the second time by its title; and

On motion of Mr. Owen,

Referred to the committee on the Judiciary.

Mr. Hughes gave notice that on Wednesday next, or some day thereafter, he will ask leave to introduce a bill entitled,

"An act to amend an act entitled an act to incorporate the St. Clair Turnpike road Company, approved Feb. 15, 1833;"

The engrossed bills, entitled

"An act organizing the county of Mercer;"

"An act for the relief of the widow and heirs of Reuben Goddard, deceased;"

"An act to prevent trespassing on the Canal lands of this State,"

"An act to change a State Road therein named;"

"An act to amend an act to lay out a State Road from Peoria to Chicago,

"An act declaring the Snicarty, a branch of the Mississippi, a navigable stream;"

Were severally read the third time; and, passed.

Ordered, That the titles of the bills be as aforesaid, that the Clerk inform the Senate thereof and ask their concurrence therein.

The engrossed bill, entitled,

"An act concerning the School Fund,"

Was read the third time.

On the question, shall said bill now pass?

It was decided in the negative.—Yeas 22, Nays 28.

The yeas and nays being called for by Messrs. Able and Anderson,

Those voting in the affirmative, are,

Messrs. Blackwell, Brown, Dawson, Dubois, Dunn, Elliott, Gregory, Gordon, Hackelton, Hamlin, Hunt, Hunter, Lin-

coln, Many, McGahey, Rowan, Stuart, Thomas, Vandevanter, Whiteside, Webb and Mr. Speaker—22.

Those voting in the negative, are,

Messrs. Able, Anderson, Blockburger, Bowyer, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cloud, Cunningham, Dougherty, Ficklin, Fithian, Harris, Harrell, Hampton, Henry, Hughes, Moore, Murphy, Nunnally, Oliver, Outhouse, Owen, Thompson, Trower, Tunnel and Wyatt—23.

The bill from the Senate, entitled

“An act allowing appeals in certain cases,”

Was read the third time, and passed.

Ordered, That the Clerk inform the Senate thereof.

The bill, entitled

“An act, for the relief of Warren county,”

Was read the second time, and

Ordered to be engrossed for a third reading.

Mr. Rowan moved that the House now resolve itself into a Committee of the Whole House to take into consideration the bill, entitled

“An act to provide for the distribution and application of the interest of the several School Funds;”

Which was not agreed to, and

On motion of Mr. Dawson,

The Committee of the Whole House was discharged from the further consideration of said bill; and

The same was referred to the committee on Education.

Mr. Thomas gave notice that on Wednesday next, or some day thereafter, he will ask leave to introduce a bill, entitled

“An act to incorporate the Alton Marine and Fire Insurance Company;” and also a bill, entitled

“An act to amend the law for incorporating the town of Alton.”

And then the House adjourned till 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

Mr. Gregory proposed for adoption the following resolution, viz:

In as much as, The resident land tax in the several counties of this State is paid into the County Treasuries, and the revenue paid into the State Treasury is not sufficient to defray the necessary expenses of the State Government; and, *In as much as*, the members of this legislature do not serve for a remuneration, but for the country's good; *Therefore*.—

Resolved by the General Assembly of the State of Illinois, That the patriotic members of this General Assembly do not demand pay for the present session of this legislature, until March 1836.

Mr. Henry moved to lay said resolution on the table until the 4th day of July next.

Mr. Carpenter of Hamilton, moved to refer said resolution to a select committee;

Which was not agreed to.

The question being taken upon the motion to lay said resolution upon the table till the 4th day of July next,

It was decided in the affirmative.—Yeas, 26—Nays, 23.

The yeas and nays being called for upon this motion by Messrs. Rowan and Hampton,

Those voting in the affirmative are,

Messrs. Able, Anderson, Blockburger, Bowyer, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cunningham, Dawson, Dougherty, Elliott, Fithian, Hamlin, Harris, Harrel, Hampton, Henry, Link, Moore, Oliver, Trower, Tunnel, Vandevanter, Wren and Mr. Speaker—26.

Those who voted in the negative, are,

Messrs. Blackwell, Brown, Cloud, Dubois, Gregory, Gordon, Hackelton, Hughes, Hunt, Hunter, Lincoln, Manly, McGahey, McHenry, Nunnally, Outhouse, Owen, Rowan, Stuart, Thomas, Whiteside, Webb and Wyatt—23.

Mr. Hamlin, presented the petition of sundry citizens of Peoria and Tazewell counties, praying the passage of an act, incorporating a company to build a bridge across the Illinois river; and

On his motion,

The reading thereof was dispensed with, and

The same referred to the committee on Petitions.

Mr. Fithian, in pursuance of previous notice, asked and obtained leave to introduce a bill entitled,

“An act to amend an act entitled an act for the relief of the poor, approved March, 1833;”

Was read the first time, and

Ordered to a second reading.

On motion of Mr. Moore,

The rule of the House was dispensed with, and
Said bill was now read the second time by its title.

On the further motion of Mr. Moore,

Referred to a select committee.

Ordered, That Messrs. Moore, Gordon, Fithian, Rowan,
Hackelton and Hamlin be that committee.

Mr. Manly, from the select committee to which was referred the engrossed bill, entitled

"An act to remove the Seat of Justice of Clark county," together with the Petitions and Remonstrances on the same subject, reported, that

Said committee have had the subject under consideration, and directed him to report,

"That they find 484 names on the Petitions; about 110 of which, they believe are the names of persons not voters in said county,—some residing out of the state, and some out of the U. States. Some of the names are found three times on the Petitions, and once on the Remonstrances. Deduct 110, who are not voters, 60 who have signed the Remonstrance, and 23 whose names are found twice on the Petition, and it leaves it a balance of 291 names, being less than a majority of the qualified voters in said county, as required by the law regulating Petitions, approved Dec. 26, 1826,—the Sheriff and Treasurer of that county having certified that there are in Clark county at least 600 voters. The committee think the above calculation a correct one; but owing to the very confused situation of the Memorials, they may have erred. But excluding the above view of the subject, your committee are of opinion that improper means have been used, to induce persons to sign the Petition, that many signed it under the impression that commissioners would be appointed to re-locate the seat of Justice. The Remonstrance seems to be signed by 295 persons, many of whom are not voters in said county. The committee fully recognize the doctrine that the majority ought to govern; but (and in this case it is difficult to ascertain who has the majority of legal voters) where the interest of a large number of persons is to be affected, many of whom have purchased property from the county, at the county seat; it is thought by the committee, that the Seat of Justice of said county should not be removed, unless it be done upon a clear majority, and a full, fair, and *unequivocal* expression of the wishes of the People."

The County Seat of said county was permanently located at Darwin, in 1823. Although in the county of Clark, as in every other county, it is presumed there are many persons who wish the Seat of Justice of their county nearer them, still your committee believe that, although Darwin is not in the geographical centre of the county, that it is in the centre of the population; and that it is nearer to a majority of the people of the county than it would be if located at any other point."

On motion of Mr. Thomas,

Said report was laid upon the table.

On motion of Mr. Manly,

Said bill was laid upon the table.

Mr. Hunter, from the select committee to which was referred the bill, entitled,

"An act for the benefit of the persons therein named,"

Reported the same back to the House, with an amendment;

Which was read and concurred in.

Ordered to be engrossed, as amended, for a third reading.

Mr. Cloud, from the committee on enrolled bills reported that the committee had this day laid before the Council of Revision, bills of the following titles, viz:

"An act for the benefit of the infant heir of James Mason, deceased;"

"An act to lay out a state road from the Wabash to the Yellow Banks on the Mississippi;"

"An act to provide for the election of County Recorders and Surveyors;"

"An act to authorise James Kinzie to change the town plat of the town of Wabonsie."

Mr. Dawson, from the committee on Internal Improvements, introduced a bill, entitled

"An act remove the School fund;

Which was read the first time;

Mr. Stuart moved to lay said bill on the table until the 4th day of July next;

Which was not agreed to.

Ordered to a second reading.

On motion of Mr. Dawson;

The rule of the House was dispensed with, and

Said bill was now read the second time, by its title.

Mr. Gregory moved to strike out the Preamble to said bill; when

On motion of Mr. Thomas,

Said bill was referred to a select committee.

Ordered, That Messrs. Thomas, Dawson and Frazer be that committee.

Mr. Cloud, from the committee on enrolled bills, reported as correctly enrolled, bills of the following titles, viz:

"An act establishing a State Road;"

"An act to change part of the State road leading from McDonough to Havana;"

"An act to amend an act, regulating enclosures;

"An act supplemental to an act, entitled an act relative to Wills and Testaments;"

"An act to change part of the State road, leading from Hillsborough to Snelbyville;"

"An act for the benefit of the Clerk of the Circuit and County Commissioners' Courts of Lasalle county;

"An act, to amend an act, entitled an act, relating to the Attorney General and State's Attorney;"

"An act to incorporate the Jacksonville Female Academy."

They also report as correctly enrolled.

The "Preamble and Resolutions in relation to the Seminary Fund;" also

The "Preamble and Resolution relative to a grant of land of the Cahokia and Prairie du Pont commons."

On motion of Mr. Thomas,

The House again resolved itself into a Committee of the Whole House, to take into consideration the bill, entitled

"An act providing compensation for Grand and Petit Jurors."

Mr. Moore in the Chair, and

After some time spent therein,

Mr. Speaker resumed the Chair, and

Mr. Moore reported, that

The Committee of the Whole House had, according to order, had said bill under consideration, and

Had directed him to report the same back to the House without amendment.

Mr. Gordon moved to amend said bill, by adding the following, as an additional section, viz:

"That so much of the 6th section of "an act, entitled an act, regulating the salaries and compensation of the several officers and persons therein mentioned," as allows every Petit Juror, sworn in each civil action in the circuit court, 25 cents, be, and

the same is hereby repealed, and said fees, shall constitute a part of said fund, as is herein provided, and be collected as other costs are, and paid into the county Treasury."

Mr. Thomas moved to amend the proposed amendment, by striking out all after the word "repealed;"

Which was agreed to.

Mr. Dawson moved further to amend the proposed amendment, by adding after the word "repealed" the following *proviso*, viz:

"*Provided*, any deficiency that may be in this fund, for the purposes therein provided, shall be paid out of the county Treasury;"

Which was agreed to.

The question then being taken upon the amendment, as amended,

It was decided in the affirmative.

Mr. Hughes moved further to amend said bill, by striking out the words in the second section, "the sum of one dollar," and inserting the words, "any sum not exceeding seventy-five cents."

Mr. Carpenter of Hamilton, moved to amend the proposed amendment, by striking out the words, "seventy-five cents," and adding the words, "not exceeding one dollar."

Mr. Webb called for a division of the question.

The question being then taken on striking out the words, "seventy-five cents;"

It was decided in the negative.

The question then recurring upon the amendment proposed by Mr. Hughes,

A division of the question was called for.

The question being then taken on striking out the words, "the sum of one dollar,"

It was decided in the affirmative. Yeas, 27.—Nays 19.

The yeas and nays being called for by Messrs. Blackwell and Hughes,

Those voting in the affirmative, are,

Messrs. Able, Anderson, Blackwell, Brown, Butler, Carpenter of Sangamon, Clark, Cunningham, Dawson, Ficklin, Gordon, Hackelton, Hamlin, Harris, Harreld, Hughes, Hunt, Link, Moore, McHenry, Nunnally, Oliver, Outhouse, Thompson, Tunnel, Vandevanter and Webb.—27.

Those voting in the negative, are,

Messrs. Blockburger, Bowyer, Carpenter of Hamilton,

Dougherty, Dubois, Elliott, Hampton, Henry, Hunter, Lincoln, Manly, McGahey, Owen, Stuart, Thomas, Trower, Wren, Wyatt and Mr. Speaker.—13.

The question being taken upon inserting the words, "any sum not exceeding seventy five cents,"

It was decided in the affirmative.—Yeas, 32, Nays, 15.

The yeas and nays being called for by Messrs. Manly and Hughes,

Those voting in the affirmative, are,

Messrs. Able, Anderson, Blackwell, Blockburger, Brown, Butler, Carpenter of Sangamon, Clark, Elliott, Ficklin, Fithian, Gordon, Hackelton, Hamlin, Harris, Harreld, Henry, Hughes, Link, Manly, Moore, McGahey, McHenry, Nunnally, Hunt, Oliver, Outhouse, Thompson, Tunnel, Vandevanter, Webb, and Wren.—32.

Those voting in the negative, are,

Messrs. Bowyer, Carpenter of Hamilton, Cunningham, Dawson, Dougherty Dubois, Hampton, Hunter, Lincoln, Owen, Stuart, Thomas, Trower, Wyatt and Mr. Speaker.—15.

Mr. Carpenter of Hamilton, moved to amend the 2d section of said bill, by striking out the word "any," before the word "sum," and the words "not exceeding," after the said word "sum," and inserting the word "the" before, and the word "of" after the said word "sum," when

On motion of Mr. Wyatt,

Said bill and proposed amendments, were

Referred to a select committee of seven.

Ordered, That Messrs. Wyatt, Hackelton, Anderson, Hughes, McGahey, Dawson and Whiteside, be that committee.

A message from the Council of Revision, by Mr. Brown their Secretary.

"MR. SPEAKER—The Council of Revision have approved bills of the following titles, viz:

"An act to authorize James Kinsie to alter the lower plat of the town of Wabonsie;"

"An act for the benefit of the infant heir of James Mason, deceased;" and

"An act to lay out a State road leading from the Wabash to the Yellow Banks on the Mississippi."

And then he withdrew.

And the House adjourned until to-morrow morning, 9 o'clock.

TUESDAY, *January 27, 1835.*

House met pursuant to adjournment.

Mr. Blockburger presented the petition of — Moore, praying an act to divorce him from his wife, Nancy Moore, and

On his motion,

The reading thereof was dispensed with; and

The same referred to a select committee.

Ordered, That Messrs. Blockburger, Hunter and Cloud be that committee.

Mr. Hunter presented the petition of sundry citizens of Bond county, praying a change in a certain State road; and

On his motion,

The reading thereof was dispensed with, and the same

Was referred to a select committee.

Ordered That Messrs. Hunter, Outhouse and Oliver be that committee.

Mr. Stuart, from the committee on Petitions, reported bill, entitled

“An act to extend the time of returning Marriage Licences;”

Which was read the first time; and

Ordered to a second reading.

Mr. Cloud, from the committee on Enrolled Bills, reported that said committee had this day laid before the Council of Revision, bills of the following titles, viz:

“An act, to change part of the State road leading from Macomb to Havana.”

“An act to establish a State road;”

“An act to amend an act regulating enclosures.”

“An act supplemental to an act, entitled an act relative to Wills and Testaments;”

“An act to change a part of the State road leading from Hillsborough to Shelbyville;”

“An act for the benefit of the Clerk of the circuit and county commissioners’ courts of Lasalle county;”

“An act to amend an act entitled an act relating to the Attorney General and State’s Attorneys;”

“An act to incorporate the Jacksonville Female Academy.”

They have also handed to the Governor

The “Preamble and Resolution relative to a grant of land of the Cahokia and Prairie du Pont commons;” also

"The Preamble and Resolution in relation to the Seminary Fund."

Mr. Stuart, from the select committee on Petitions, to which was referred the Petition of sundry citizens of Warren county, praying a law authorizing Martha Whitman, executrix of Christopher Whitman, deceased, to sell certain lands,

Reported a bill, entitled

"An act for the relief of the widow and heirs of Christopher Whitman;"

Which was read the first time; and

Ordered to a second reading.

On motion of Mr. Butler,

The rule of the House was dispensed with, and said bill

Was read the second time, and by its title; and

On the further motion of Mr. Butler,

Said bill was referred to a select committee.

Ordered, That Messrs. Butler, Stuart and Carpenter of Sangamon, be that committee.

Mr. Anderson, from the committee on Propositions and Grievances, who were instructed by resolution to inquire into the expediency of establishing Fire Companies,

Reported a bill, entitled,

"An act for the incorporation of Fire Companies;"

Which was read the first time; and,

Ordered to a second reading.

Mr. Gregory, from the committee on Education, to which was referred the bill, entitled,

"An act regulating Schools in town 39 North, Range 14 East,"

Reported the same back to the House without amendment; and

On motion of Mr. Wyatt,

Referred to a select committee.

Ordered, That Messrs. Wyatt, Hamlin and Harris be that committee.

Mr. Stuart, from the committee on Petitions to which was referred the petition of sundry citizens of Fayette county, praying the establishment of a new road from Vandalia to Springfield,

Reported adverse to the prayer of said Petition, and asked to be discharged from the further consideration of said Petition."

On the question,

Shall said committee be discharged from the further consideration of said petition?

It was decided in the affirmative.

A Message from the Senate, by Mr. White their Secretary.

"MR. SPEAKER—I am directed to inform the House of Representatives, that the Senate have concurred with them in the passage of a bill, entitled

"An act in relation to the money heretofore appropriated to the county of Randolph, out of the avails arising from the sale of the Gallatin Saline lands, to Internal Improvements, approved 16th February, 1831," as amended by them;

In which amendments they ask the concurrence of the House of Representatives.

They have amended the title of said bill, so as to read

"An act relative to an appropriation from the avails of the Gallatin county Saline lands, for the benefit of Randolph county;"

In which amendment, they also ask the concurrence of the House of Representatives.

They have adopted

A "Preamble and Resolutions requesting our Senators and Representatives in Congress, to use their exertions to procure the passage of a law of Congress, making a donation of land to the early settlers of Illinois;"

In the adoption of which they ask the concurrence of the House of Representatives.

They have indefinitely postponed

The Resolution from the House of Representatives, relative to the "Establishment of a National Bank.

They refuse to concur with the House of Representatives, in the adoption of the resolution from the H. of Representatives relative to the "Establishment of a mail route from Mount Carmel, via Maysville and Sutton's Point, to Vandalia."

And then he withdrew.

Mr. Wyatt, from the committee on the Militia, who were instructed by Resolution to inquire, &c.

Reported, that

Said committee had had the subject of the Militia Laws of this State, &c. under consideration; and, that in the opinion of said committee, it is inexpedient to legislate on the subject at present; and ask to be discharged from the further consideration of the subject.

It was decided in the affirmative.

Mr. Stuart, from the committee on Petitions, to which was re-

ferred the Petition of the Rector, Vestrymen and Wardens of St. Jude's Church, praying an act to incorporate said Church, &c.

Reported unfavorably to the prayer of said Petition, and asked to be discharged from the further consideration of said subject.

On the question,

Shall said committee be discharged from the further consideration of said Petition?

It was decided in the affirmative.

Mr. Gregory, from the select committee to which was referred the bill, entitled

"An act to provide for the equitable distribution of the School fund;"

Reported the same back to the House with an amendment; amend by striking out all after the enacting clause.

Mr. Stuart moved to lay said bill upon the table.

Mr. Thomas moved to refer said bill to a select committee.

The question being then taken on laying said bill on the table.

Decided in the affirmative.

Mr. Dunn, from the committee on the Judiciary, to which was referred the bill from the Senate, entitled,

"An act to amend an act, entitled an act relating to courts of Probate, approved January 2, 1829,"

Reported the same back to the House without amendment; and recommended a rejection of said bill.

Mr. Ficklin moved to re-commit said bill to a select committee;"

Which was not agreed to.

On the question,

Shall said bill be read a third time?

It was decided in the negative.

Ordered, That the Clerk inform the Senate thereof.

Mr. Dunn, from the same committee, to which was referred the bill, entitled

"An act to amend the practice act of 1827;"

Reported the same back to the House with sundry amendments,

Which were read; and

On motion of Mr. Dunn,

Said bill and proposed amendments were re-committed to a select committee.

Ordered, That Messrs. Dunn, Rowan and Stewart be that committee.

Mr. Dunn, from the same committee, to which was referred the bill, entitled

"An act giving Justices of the Peace jurisdiction in cases of detainue and replevin,"

Reported the same back to the House without amendment, and recommended a rejection of the said bill.

On motion of Mr. Manly,

Said bill was referred to a select committee.

Ordered, That Messrs. Manly, Ficklin and Link be that committee.

Mr. Lincoln gave notice that on Thursday next, or some day thereafter, he will ask leave to introduce a bill, entitled

"An act relative to a state road therein named."

Mr. Thomas, from the select committee, to which was referred the bill, entitled

"An act to remove the School Fund,"

Reported the same back to the House with an amendment.

Mr. Stuart moved to lay said bill and proposed amendment upon the table until the 4th day of July next;

Which was agreed to.—Yeas, 30, Nays, 19.

The yeas and nays being called for by Messrs. Stuart and Hampton,

Those voting in the affirmative, are

Messrs. Able, Anderson, Blackwell, Bowyer, Brown, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Cloud, Cunningham, Dubois, Elliott, Ficklin, Fithian, Gordon, Hamlin, Harreld, Hampton, Hughes, Hunter, Lincoln, Manly, Murphy, Oliver, Outhouse, Owen, Rowan, Stuart, Thompson and Trower.—30. Those voting in the negative, are

Messrs. Clark, Dawson, Dougherty, Dunn, Harris, Henry, Hunt, Link, Moore, McGahey, Nunnally, Thomas, Tunnel, Vandevanter, Whiteside, Webb, Wren, Wyatt and Mr. Speaker.—19.

Mr. Murphy, from the committee on Education, made a report, accompanied by a bill, entitled "An act for the redemption and distribution of the School Fund;"

Which was read the first time, and,

Ordered to a second reading.

On motion of Mr. Stuart,

The rule of the House was dispensed with, and the said bill was now read the second time, and by its title;

Mr. Stuart moved that said bill be laid upon the table, and that one hundred copies be printed.

Mr. Rowan moved to print five hundred copies of said bill.

The question being taken on laying said bill on the table, and printing five hundred copies thereof,

It was decided in the affirmative.

The report was read, which is as follows, viz:

"The minority of the committee on Education, to which was referred the bill for "an act for the distribution and application of the several School Funds," begs leave to report, that he has attentively considered the important subject embraced by said bill, with a desire to contribute his support, feeble as it may be, to some plan by which the rising generation may receive the benefits of that fund, by a proper application thereof, of which we are in our legislative capacity, the legal guardians. After the most mature and deliberate reflection bestowed upon the plan proposed by that bill, with all the lights his associates upon the committee, have been enabled to throw around it, with the most anxious desire that some mode should be speedily adopted to render the school fund immediately productive, and with no small partiality for almost any plan that might be offered for that purpose, the undersigned, the minority of the committee, has come to the conclusion, that the bill offered is not such an one as is calculated to effect the desired object.— Without going into a particular examination of it, at the present time, or attempting to expose the various objections that exist to it, as it has been discussed in committee of the whole, the undersigned will content himself by saying, that in his opinion, it never can receive the sanction of the Legislature, or be acceptable to the People.

"Under this firm conviction, and conscious of the necessity of legislative action, at the earliest possible moment, on a subject of such abiding and permanent interest, the undersigned feels himself compelled by every obligation of duty, philanthropy and patriotism, to submit what he conceives to be the outline of a plan, calculated to supply the present wants of our country; and, upon which, in after times, one more extensively beneficial can be engrafted. The undersigned will state, that it has been submitted to the committee on Education, and proposed as a substitute for the bill herein referred to, and candor obliges him to acknowledge that it has received no share of the favor of the majority. Their consent, however, has been obtained that a report of it might be made to the House, to receive

such consideration there, as its simple and unobtrusive merits may entitle it to.

“Not intending to enter into an argument in support of them, or detract in the least from the claims to favorable regard, to which the bill, for which the undersigned proposes a substitute, may be entitled, he will take this occasion merely to glance at the prominent features of that substitute, in order that the House may be enabled to determine whether it shall receive any share of their regard. The substitute provides for drawing the money of the School Fund from the Bank at St. Louis, where it has remained idle, and unproductive, for many years, and depositing the same in the State Treasury. That the Governor shall negotiate a loan, on the best terms, at six per cent. or less, for a sum of money sufficient to reimburse the School Fund, the principal and interest borrowed thereof by the State; public notice of the receipt of those moneys, and those hereafter to accrue, from the General Government, is to be given; and, as soon as the next census is taken, and the returns made, the commissioners of the School Fund are to ascertain the share each county will be entitled to, proportion the number of children therein between the ages of five years and twenty years, which is to be paid over to the School Commissioners of the several counties, who are required to loan it out on real and personal security, at an interest not exceeding twelve per cent. Semi-annual reports are to be made by the School Commissioners, to the county commissioners’ courts of all their proceedings; and to submit their books, vouchers, and all other matters pertaining to the fund, to the frequent inspection of the court, and power is given the court to remove at any time the School Commissioners, and require additional security. Two per cent. on all the moneys loaned, is allowed them as full compensation. Convenient school districts are to be laid off by the county court in the several counties, and each district to elect their trustees of the school therein, who are to have a general superintendence of each district school; and whenever they notify the School Commissioner that a school is organized he is required to pay to them their rateable share of the interest arising from the school fund. Embezzling or squandering any portion of this fund, by those entrusted with it, is made a penitentiary offence. The assessors of taxable property are required, on or before the first Monday of August 1837, to take an enumeration, in their respective counties, of the number of children between the ages of five years and twenty years, a sworn

return of which is to made to the county court, and entered of record, a certified copy of which, under the seal of the court, is to be transmitted to the commissioners of the School Fund as evidence of the proportion of the accruing fund, each county may be entitled to hereafter.

“These are the general features of the bill, presented by the undersigned, for the consideration of the representatives of the people. He has not the vanity to believe that it is perfect—far from it. It is presented as an outline, capable of extension, and susceptible of improvement by the action of those more vigorous intellects, by which he is surrounded. The undersigned claims for it the attentive consideration of all those who feel, with him, the importance of the subject, and who, with him, are anxious to make a commencement of that noble work, the lasting benefits of which will be seen and felt in the remotest corner of our extended State. A commencement only, is a point gained, from which we can never hereafter recede. The first step is the most difficult one; and, should that be successful, our future career will be unobstructed by any obstacle. The obligations upon the present General Assembly to make the School Fund immediately productive, seem to the undersigned to be of the most weighty and imperious character; and, that they will acquit themselves of them, in a proper manner, none can doubt. That they may be enabled to lay the first stone of that edifice, which shall beautify and adorn our land, and cast its grateful shade far and wide, would be the achievement of an honor seldom presented in the history of man.

R. G. MURPHY.”

On motion of Mr. Stuart,

Said report was laid upon the table, and five hundred copies ordered to be printed.

And then the House adjourned till 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

A message from the Council of Revision, by Mr. Brown their Secretary.

"MR. SPEAKER—The Council of Revision have approved bills of the following titles, viz:

"An act to establish a State road;"

"An act to amend an act regulating enclosures."

"An act to change a part of the State road leading from Hillsborough to Shelbyville;"

"An act, to change part of the State road leading from Maccomb to Havana."

"An act for the benefit of the Clerk of the circuit and county commissioners' courts of Lasalle county;"

"An act to incorporate the Jacksonville Female Academy."

"An act supplemental to an act, entitled an act relative to Wills and Testaments;"

And then he withdrew.

On motion of Mr. Gordon,

Resolved by the General Assembly of the State of Illinois, That our Senators in Congress be instructed, and our Representatives requested, to use their best exertions to procure the passage of a law, making an appropriation to clear out obstructions to the navigation of the Illinois river, from its mouth to the foot of the Rapids."

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof and ask their concurrence therein.

A message from the Senate, by Mr. White their Secretary.

"MR. SPEAKER:—I am directed to inform the House of Representatives, that the Senate have adopted

A Preamble and Resolutions relative to the continuation of the "Cumberland road through the State of Illinois, so as to cross the Mississippi river at Alton;"

In the adoption of which, they ask the concurrence of the House of Representatives.

And then he withdrew.

Mr. Rowan proposed for adoption the following resolution, viz:

"Resolved, That when a call of the House is made, the names of absent members shall be noted upon the Journals.

On motion of Mr. Henry,

Said resolution was laid upon the table.

Mr. Dunn, from the select committee to which was referred the bill, entitled

"An act for the relief of debtors to the President and Directors of the State Bank of Illinois,"

Reported the same back to the House, with an amendment; Mr. Gordon moved to amend the proposed amendment of the select committee, by striking out all after the word "act;" which is as follows, viz:

"*Provided*, further, that no Bank debtor, who became so by virtue of a purchase of Bank property, shall be entitled to any relief under this act; except that he, she or they, shall be allowed time until the 4th day of July 1836, to complete payments,"

Which was not agreed to.—Yeas, 12.—Nays 36.

The yeas and nays being called for by Messrs. Gordon and Hughes,

Those voting in the affirmative, are

Messrs. Clark, Cloud, Cunningham, Dawson, Gordon, Hamlin, Hughes, Moore, Murphy, Vandevanter, Whiteside and Mr. Speaker.—12.

Those voting in the negative, are

Messrs. Able, Anderson, Blackwell, Blockburger, Brown, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Dubois, Elliott, Fithian, Gregory, Hackelton, Harris, Harreld, Hampton, Henry, Hunter, Hunt, Lincoln, Link, Manly, McGahey, Nunnally, Oliver, Outhouse, Owen, Rowan, Stuart, Thompson, Trower, Tunnel, Webb, Wren, and Wyatt.—36.

The question then being taken on concurring in the amendment of the select committee,

It was agreed to.

Ordered to be engrossed, as amended, for a third reading.

The Preamble and Resolutions from the Senate relative to the continuation of the National road through the State of Illinois, &c.

Were read and concurred in.

Ordered, That the Clerk inform the Senate thereof.

On motion of Mr. Moore,

The bill, entitled

"An act, altering the State road from Vincennes to St. Louis,"

Was taken up.

Mr. Blockburger moved to refer said bill to a committee of the Whole House, and make it the order of the day for tomorrow.

Mr. Dunn moved to refer said bill to a committee of seven.

The question being taken upon referring said bill to a Com-

mittee of the whole House, and making it the order of the day for to-morrow;

It was decided in the negative.

Mr. Hughes moved to so amend the motion to refer to a select committee, as to make it a select committee of eleven;

Which was agreed to.

The question then recurring on referring said bill to a committee of eleven,

It was agreed to.

Ordered, That Messrs. Dunn, Hughes, Moore, Outhouse, Blockburger, Link, Whiteside, Thomas, Tunnel, Harris and Cloud, be that committee.

On motion of Mr. Moore,

The communication from A. L. Mills, some days since laid on the table,

Was taken up, and

Referred to the same select committee of eleven, to which was referred the bill entitled "an act altering the State road from Vincennes to St. Louis."

Mr. Manly gave notice that on Thursday next, or some day thereafter, he will ask leave to introduce a bill, entitled

"An act for the benefit of the infant heirs of Robert B. Murphy, late of Perry county, deceased."

The Resolution from the Senate, relative to the appointment of a joint select committee of two from the Senate, and three from the House of Representatives, to compile, and publish in pamphlet form, all the laws in relation to Common Schools, &c.

Were read and concurred in.

Ordered, That Messrs. Gregory, Frazer and Murphy be that committee on the part of the House of Representatives, and that the Clerk inform the Senate thereof.

The amendments of the Senate to the bill from the House of Representatives, entitled

"An act for the benefit of the Sheriffs therein named,"

Were read and concurred in.

Ordered, That the Clerk inform the Senate thereof.

The amendments of the Senate to the bill from the House, entitled

"An act in relation to the money heretofore appropriated to the county of Randolph, out of the avails arising from the sale of the Gallatin Saline lands, to Internal Improvements, approved 16th February, 1831;"

Were read,
On motion of Mr. Gregory,
Said bill and amendments, were
Referred to a select committee.

Ordered, That Messrs. Gregory, Thompson and Murphy be that committee.

The "Preamble and Resolutions from the Senate, in favor of ancient settlers in Illinois,"

Were read, and
On motion of Mr. Moore,
Referred to a select committee.

Ordered, That Messrs. Moore, Harris and Whiteside be that committee.

Mr. Thomas gave notice that on Thursday next, or some day thereafter, he will ask leave to introduce a bill, entitled

"An act authorizing Clerks of the circuit courts to use their private seals in cases where no public seal has been provided."

The engrossed bills entitled

"An act for the benefit of the persons therein named;" and

"An act for the relief of Warren county;"

Were severally read the third time, and passed.

Ordered, That the titles of the bills be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence therein.

The engrossed bill, entitled

"An act concerning the revenue of counties,"

Was read the third time.

Mr. Henry moved to strike out the words "1st May" and insert the "1st Sept;"

Which was not agreed to.

Mr. Owen moved to amend said bill by striking out the words "1st May," and inserting the words "1st March;"

Which was agreed to.

The bill then passed.

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence therein.

The engrossed bill, entitled

"An act to locate a State road from Shelbyville to Chicago;"

Was read the third time; and

On motion of Mr. Hamlin,

Referred to a select committee.

Ordered, That Messrs. Hamlin, Trower and Brown be that committee.

On motion of Mr. Dubois,

The rule of the House was dispensed with; and the bill, entitled

"An act forming Medical Societies,"

Was read the second time, and by its title, and

On motion of Mr. Stuart,

Referred to the committee on Propositions and Grievances.

The bill from the Senate, entitled

"An act for the benefit of Peter Warren, John Storm, and Andrew Caldwell,"

Was read the second time; and

Ordered to a third reading.

On motion of Mr. Murphy,

Resolved, That the committee on the Militia, be instructed to inquire into the expediency of repealing so much of the law as relates to the compensation of the Adjutant General, the Division Inspector, the Brigade Major, and the other officers, and that they report by bill or otherwise.

On motion of Mr. Cunningham,

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of more effectually securing and making safe the fee or compensation to witnesses in civil cases."

Mr. Hamlin, in pursuance of previous notice, asked and obtained leave to introduce a bill entitled,

"An act to locate the Seat of Justice of Rock Island county;"

Which was read the first time; and

Ordered to a second reading.

On motion of Mr. Gregory,

The rule of the House was dispensed with, and the same was now read the second time, and by its title;

Ordered to be engrossed for a third reading.

Mr. Murphy, from the select committee to which was referred the engrossed bill from the House, entitled

"An act to change the county line between Perry and Franklin counties," together with the amendments of the Senate thereto.

Reported the same back to the House with an amendment to the amendment of the Senate; and

On motion of Mr. Murphy,

Said bill and proposed amendments were laid upon the table.

Mr. Anderson, in pursuance of previous notice, asked and obtained leave to introduce a bill, entitled

“An act to encourage the killing of wolves;”

Which was read the first time, and,

Ordered to a second reading.

Mr. Trower, in pursuance of previous notice, asked and obtained leave to introduce a bill entitled,

“An act to make an appropriation out of the funds arising from the sale of lots in the town of Vandalia;”

Which was read the first time; and

Ordered to a second reading.

On motion of Mr. Thomas,

The rule of the House was dispensed with, and the bill, entitled

“An act to encourage the killing of wolves,”

Was now read the second time, and by its title.

Mr. Thomas moved to refer said bill to a select committee;

Which was not agreed to.

Mr. Stuart moved to amend the 1st section of said bill, by adding at the end thereof the following, viz:

“Which said scalp shall be taken and receivable in payment of taxes;” when,

On motion of Mr. Henry,

Said bill, together with the proposed amendment, was referred to a committee of the Whole House, and made the order of the day for Saturday evening next.

Mr. Blockburger, from the select committee to which was referred the Petition of — Moore, praying a divorce, &c.

Reported a bill, entitled

“An act to divorce Hartville Moore and Nancy Moore;”

Which was read the first time, and

On the question,

Shall said bill be read a second time?

It was decided in the negative.

Mr. Trower gave notice that on Wednesday next, or some day thereafter, he will ask leave to introduce a bill, entitled

“An act to repeal an act permanently to locate the Seat of Government of Illinois, approved February 5, 1833.”

On motion of Mr. Fithian,

“*Resolved*, That the select committee, to which, about six or eight days since, was referred the bill for “an act relating to the Receiver of the Vermillion Saline Reserve, and the Commissioner of the Gallatin Saline lands, be required to report

said bill back to this House, at or before 10 o'clock to-morrow."

On motion of Mr. Harris, *Resolved*,

That the committee on public accounts and expenditures, be instructed to inquire whether any, and if any, what amount of money has been received from James Hall, late Treasurer of this State, since the passage of the act to adjust the debt of the late Treasurer of the State of Illinois, whether the sum of fourteen hundred and fifty dollars and forty-eight cents mentioned in said act has been paid into the Treasury, and what proceedings have been taken by the commissioners appointed by said act; and that they report by bill or otherwise."

And then the House adjourned.

WEDNESDAY, January 28, 1835.

House met pursuant to adjournment.

Mr. Cloud, from the committee on enrolled bills, reported as correctly enrolled, bills of the following titles, viz:

"An act concerning public roads;"

"An act to amend an act, regulating elections;"

"An act to change part of the State road leading from Greenville to Vandalia;"

"An act to change such part of the State road from Vincennes to Chicago, as lies in Crawford county."

"An act further to amend an act, entitled an act to authorize James Nabb to build a toll bridge across the Ambarras river;" also, as correctly enrolled,

A "Preamble and Resolution relative to the National road."

Mr. Vandevanter presented the petition of Abijah Fuller, praying relief;

The reading of which,

On his motion;

Was dispensed with, and the same

Referred to a select committee.

Ordered, That Messrs. Vandevanter, Butler and Clark be that committee.

Mr. Dubois presented the remonstrance of sundry citizens of Lawrence county against a review of the road leading from the west bank of the Wabash, opposite to Vincennes, to Chicago;"

The reading of which was, on his motion dispensed with, and the same

Referred to the same select committee to which the Petitions on the same subject were referred.

Mr. Oliver presented the petition of sundry citizens of Johnson county, praying the General Assembly of the State of Illinois, to memorialize Congress to grant an appropriation in land for the purpose of improving the navigation of Cash river, in Johnson and Alexandria counties;"

The reading of which was, on his motion, dispensed with, and the same

Referred to a select committee.

Ordered, That Messrs. Oliver, Able and Dougherty be that committee.

Mr. Hamlin presented the petition of the inhabitants of the town of Princeton, praying the right to incorporate, under the existing law;"

The reading of which was, on his motion, dispensed with, and the same

Referred to the committee on Petitions.

Mr. Whitside, from the committee on Finance, to which was referred the bills, entitled

"An act to alter the mode of collecting taxes;"

"An act to regulate the mode of taking in the list of taxable property; and

An act to change the mode of levying a tax on merchandise;

Reported the same back to the House, and recommended a rejection of the said bills.

The question being taken separately on ordering said bills to be engrossed for a third reading;

It was decided in the negative.

Mr. Moore, from the select committee, to which was referred the "Preamble and Resolutions in relation to the ancient settlers in Illinois,"

Reported the same back to the House without amendment; and recommended the adoption of the same.

The Preamble and Resolutions were then adopted.

Ordered, That the Clerk inform the Senate thereof.

Mr. Hughes, from the select committee, to which was referred the bill, entitled

"An act, to amend an act, relative to Criminal Jurisprudence, approved February 25, 1833;"

Reported the same back to the House without amendment; and recommended its rejection

On the question,

Shall the bill be engrossed, and read the third time?

It was decided in the negative.

Mr. Hughes, from the joint select committee to which was referred the resolution to report a bill, for

"An act regulating the times of holding circuit courts in the several counties in this State, and regulating the salaries of Judges,"

Reported that a bill would be reported in the Senate to day, embracing the objects of the resolution.

On motion of Mr. Webb,

Resolved, That the Auditor of Public Accounts be requested to furnish this House with a statement, showing,

1st. The whole amount of School Fund, belonging to this State, and the interest due from this State on said Fund;

2d. The whole amount of College Fund belonging to this State, and the interest due from this State on said fund; and

3d. The whole amount of Seminary Fund belonging to this state, and the interest due from this State on said Fund.

Mr. Wyatt, from the select committee to which was referred the bill, for

"An act regulating Schools in township 39 North, Range 14 East,"

Reported the same without amendment.

The bill was then

Ordered to be engrossed, for a third reading.

The following message was received from the Council of Revision, by Mr. Brown their Secretary.

Which was read, viz:

"The Council of revision have had under consideration a bill, entitled

"An act to provide for the election of County Recorders and Surveyors;"

Which they return to the House of Representatives as improper to become a law of the State, for the following reasons, to wit:

1st. By the first section of the bill, the office of Recorder will

become vacant on the first Monday of August next, and no successor can be qualified to enter upon the duties of the office, in most of the counties, in much, if any, less than thirty days from that time, and in remote counties, a much longer delay will take place before the office can be filled. Should any casualty happen to the returns, in reaching the office of the Secretary of State, or to the commission, in reaching the person elected; or, should the successful candidate be unable to give the security required by law, a delay of several months must necessarily take place. This delay will produce an *inter regnum* in the office, that may be productive of serious evils to the community. According to the provisions of our statute, in relation to the recording of deeds and mortgages, the deeds or mortgages first placed on record, will secure the lands and tenements to the grantee, without regard to the time of its execution. Should a grantor feel disposed to act fraudulently, he may execute to innocent purchasers, a number of deeds for the same property; and, in consequence of the vacancy in the office of Recorder, there will be no means of detecting his frauds.

2d. The Council also object to the bill, because it provides no sufficient means for determining contested elections. The 5th section requires the contest to be tried in the same manner as is provided in the 22d section of the Election law.— By a careful examination of the latter section, it will be perceived that it is defective, in not providing for a supervision of the issuing of the commission, until such contested election shall have been determined. Or, if the commission has been issued to the person returned as elected, no provision is made for superseding the commission, should the decision be against the individual apparently receiving a majority or plurality of votes.

The Council also suggest that, by the repeal of the 5th section of the "act relating to the office of Recorder," approved January 8, 1829, will only legislate out of office, those Recorders who have been appointed since the passage of that act; for by the eighth section of that act it is provided that the repeal of the act, entitled "an act establishing the Recorder's office, and for other purposes," approved Feb. 19, 1819, shall not "be so construed as to affect, or remove from office any recorder, appointed under the provisions of that act, but he shall continue in office, as though this act had not been passed; nor shall any of his legal acts, as such, be hereby impaired."

Now, if elections are held in each county in this State, in August next, for a Recorder, of the several counties, may it not

well be doubted whether those Recorders who hold their offices by virtue of the saving clause contained in the 8th section of the act passed in 1829, will not still continue to hold their offices, notwithstanding such election? And may not this state of things produce serious litigation between the old and new Recorders, and much uncertainty in the public mind as to the proper officer to whom to entrust the recording of the evidences of their property.

The Council would also suggest that justice would seem to require some provision for the payment of the expenses incurred by the Recorders now in office, for the purchase of the necessary books, which, in some instances, may be but partially filled.

JOSEPH DUNCAN,
WILLIAM WILSON,
THOMAS C. BROWN,
SAMUEL D. LOCKWOOD.

Mr. Thomas moved to refer the bill with the objections of the Council to a committee of the Whole House.

Mr. Webb moved to refer them to the committee on the Judiciary.

Mr. Stuart moved to lay them on the table.

The question was then put upon a reference to the committee of the Whole House, and

Decided in the negative.

The question was then put upon a reference to the committee on the Judiciary;

Which was also decided in the negative.

Mr. Stuart then withdrew his motion to lay on the table, when,

On motion of Mr. Link,

The bill and objections were referred to a select committee of five.

Ordered, That Messrs. Link, Harris, Hackelton, Cunningham, and Carpenter of Hamilton, be that committee.

Mr. Stuart, from the committee on Petitions, to which was referred the petition of sundry citizens of Peoria and Tazewell counties, praying for a certain object therein named, reported a bill, for

“An act to incorporate the Peoria Bridge Company,”

Which was read the first time; and,

Ordered to a second reading.

On motion of Mr. Murphy,
 The rule of the House was dispensed with, and the bill
 Was read the second time by its title; and
 On motion of Mr. Dubois,
 Said bill was referred to a select committee.

Ordered, That Messrs. Dubois, Hamlin and Carpenter of Sangamon, be that committee.

A message from the Senate by Mr. White, their Secretary.

"MR. SPEAKER,—I am directed to inform the House of Representatives, that the Senate have concurred with them in the adoption of the Resolution from the House of Representatives, relative to the printing of the Laws and Journals of the present General Assembly.

The have concurred in the amendment of the House of Representatives, to the Resolution from the Senate, "requesting the Governor to forward to our Senators and Representatives in Congress, copies of all such Resolutions and Memorials as may be passed by the present General Assembly."

They have concurred with the House of Representatives, in the adoption of the Memorial to Congress, praying for "remuneration for losses sustained by Hezekiah West's father, during the Revolutionary War.

They have receded from their 4th amendment to the bill from the House of Representatives, entitled

"An act to incorporate Mount Carmel, in Wabash county."

They have concurred with the House of Representatives, in the passage of bills of the following titles, viz:

"An act for the relief of Willard Twiss;"

"An act to increase the number of Election Precincts in the counties of Morgan and Madison;"

"An act changing an appropriation heretofore made to the county commissioners' court of Vermillion county, to the county commissioners' court of Champaign county."

"An act declaring Big Muddy a navigable stream."

"An act supplemental to an act, to incorporate such persons as may associate for the purpose of procuring and erecting public libraries in this State," approved Jan. 31, 1823.

"An act, to amend an act declaring what laws of a general nature shall be published with the acts of a general nature of this session," approved March 2, 1833."

They have also concurred with the House of Representatives in the passage of bills of the following titles, viz:

"An act to authorize the county commissioners' courts of Randolph and Perry to refund certain taxes, and

"An act to authorize the county court of Montgomery county to change a certain State road therein named," as severally amended by them.

In which amendments they ask the concurrence of the House of Representatives.

They have passed bills of the following titles, viz:

"An act for the benefit of the town of Quincy, in Adams county;"

"An act to amend an act, appropriating a portion of the avails arising from the sale of the Saline lands in Gallatin county to internal improvements, approved February 16, 1831,"

"An act concerning religious societies;"

"An act to revive and continue in force an act, authorizing a review of a part of the Vincennes and Chicago road;"

"An act to lay out a road from Moses Thomas' in Champaign county, to Bloomington, in McLean county;"

"An act concerning the sale of certain School lands situated in the county of Tazewell;"

"An act for the relief of Cook county;"

"An act to amend an act entitled an act to amend an act entitled an act to provide for the election of Justices of the Peace and Constables, approved Jan. 7, 1835;"

"An act to extend for a limited time, the charter of the Bank of Illinois, at Shawneetown;"

"An act changing a part the State road from the mouth of the Ohio, in Alexandria county, to Jonesborough, in Union county;"

In the passage of which bills, they ask the concurrence of the House of Representatives.

And then he withdrew.

Mr. Dougherty, from the select committee, to which was referred the bill, for

"An act relative to the receiver of the Vermillion Saline Reserve, and the commissioner of the Gallatin Saline lands,"

Reported the same without amendment.

Mr. Dougherty moved to amend the bill by adding to the 2d section the following:

That the sum of one hundred and fifty dollars appropriated on the road leading from Equality to Jonesborough, shall be paid out of the first moneys arising from the sale of said lands,

after the 1st day of February, 1835, and expended as now directed by law;"

Mr. Cloud moved to amend the amendment by adding the following, viz:

"And also one hundred and fifty dollars to meet the appropriation made to Morgan county to build a bridge across Apple Creek;" when,

On motion of Mr. Stuart,

Said bill and proposed amendments were referred to a select committee of five.

Ordered, That Messrs. Stuart, Cloud, Clark, Fithian, and Hampton, be that committee.

Mr. Thomas, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill, for

"An act to incorporate the Alton Marine and Fire Insurance Company;"

Which was read the first time, and

Ordered to a second reading.

On motion of Mr. Thomas,

The rule of the House was dispensed with, and

The bill was read a second time by its title, and

On his motion,

Referred to a select committee,

Ordered, That Messrs. Thomas, Thompson and Webb be that committee.

Mr. Dawson, from the committee on Internal Improvements, reported a bill, for

"An act to improve the navigation of Sangamon river;"

Which was read the first time; and

Ordered to a second reading.

On motion of Mr. Dawson,

The rule of the House was dispensed with, and the bill,

Was read the second time, and by its title.

On the further motion of Mr. Dawson,

Said bill was referred to a select committee.

Ordered, That Messrs. Dawson, Elliott and Hampton be that committee.

Mr. Gregory, from the committee on Education, to which was referred the bill, for

"An act to provide for the distribution and application of the interest of the several School Funds,"

Reported the same with sundry amendments,

Which were read, when,

On motion of Mr. Henry,
 The bill and report were laid upon the table.
 Mr. Thomas, in pursuance of notice heretofore given, asked
 and obtained leave to introduce a bill, for
 "An act to amend a certain law therein named."

Which was read the first time; and

Ordered to a second reading.

On motion of Mr. Thomas,

The rule of the House was dispensed with, and the bill
 read the second time, by its title; and

On his motion,

Referred to the same select committee to which was referred
 the bill entitled "an act to incorporate the Alton Marine and
 Fire Insurance Company."

Mr. Gregroy, from the select committee, to which was refer-
 red the bill, entitled

"An act in relation to the money heretofore appropriated to
 the county of Randolph, out of the avails arising from the sale
 of the Gallatin Saline lands, to Internal Improvements, approved
 16th February, 1831;" with the amendments of the Senate
 thereto;

Reported the same back to the House without amendment;
 and recommended a concurrence in the amendments of the
 Senate.

The amendments of the Senate were then concurred in.

The amendment to the title of said bill, was also concurred in.

Ordered, That the Clerk acquaint the Senate therewith.

Mr. Hamlin, from the select committee to which was refer-
 red the engrossed bill, for

"An act to locate a State road from Shelbyville to Chicago;"

Reported the same with an amendment,

Which was read and concurred in.

Mr. Hughes, in pursuance of previous notice, asked and ob-
 tained leave to introduce a bill, for

"An act to amend an act, entitled an act to incorporate
 the St. Clair Turnpike road Company, approved, February
 15, 1833;"

Which was read the first time; and

Ordered to a second reading.

Mr. Dougherty gave notice that he should on to-morrow ask
 leave to introduce a bill, for

"An act for the relief of certain persons therein named,"
 and a bill for

"An act to incorporate the Jonesboro' Seminary."

Mr. Rowan presented the petition of sundry citizens praying a change in part of the State road leading from Equality to Mount Vernon;

The reading of which, on his motion;

Was dispensed with, and the same

Referred to a select committee.

Ordered, That Messrs. Rowan, Hampton and Anderson be that committee.

Mr. Bowyer gave notice that he should, on Thursday next, ask leave to introduce a bill, for

"An act for the benefit of Franklin county;"

The bills from the Senate, entitled

"An act, changing parts of a State road from the mouth of the Ohio, in Alexander county, to Jonesborough, in Union county;"

"An act to lay out a State road from Moses Thomas' in Champaign county to Bloomington, in McLean County;"

"An act concerning the sale of certain School Lands, situated in the county of Tazewell;"

"An act for the relief of Cook county;" and

"An act to amend an act entitled an act to amend an act entitled an act to provide for the election of Justices of the Peace and Constables," approved January 7, 1835,"

Were severally read the first time, and

Ordered to a second reading.

Mr. Hughes, from the committee on Public Accounts and Expenditures, reported a bill, for

"An act making appropriations for the years 1835 and 1836;"

Which was read the first time; and

Ordered to a second reading.

On motion of Mr. Dawson,

The rule of the House was dispensed with; and

The same was read the second time, by its title.

On motion of Mr. Lincoln;

The bill was committed to a Committee of the Whole House, and made the order of the day for Thursday next.

Mr. Cloud, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill, for

"An act to ascertain the county line between the counties of Morgan and Sangamon;"

Which was read the first time, and,

Ordered to a second reading.

On motion of Mr. Cloud,

The rule of the House was dispensed with, and

The bill read the second time by its title, and

On the further motion of Mr. Cloud,

Referred to a select committee.

Ordered, That Messrs. Cloud, Thomson and Lincoln be that committee.

Mr. Cloud, from the committee on Elections, reported a bill, for

“An act directing the time of holding Elections for the Representatives of Congress;”

Which was read the first time, and

Ordered to a second reading.

On motion of Mr. Rowan,

The rule of the House was dispensed with, and the same

Read a second time, by its title.

Mr. Rowan moved that the bill be referred to a select committee.

Mr. Gordon moved that the committee consist of six, one to be taken from each judicial circuit;

Which was agreed to.

The bill was then so referred.

Ordered, That Messrs. Rowan, Whiteside, McGahey, Tunnel, Hamlin and Owen be that committee.

Mr. Thomas, from the select committee to which was referred the petition of sundry citizens of Alton, praying for a certain thing therein named;

Reported a bill, for

“An act making the town of Lower Alton a district for the election of two Justices of the Peace and two Constables;”

Which was read the first time, and

Ordered to a second reading.

On motion of Mr. Thomas,

The rule of the House was dispensed with, and

The bill was read a second time, by its title.

On motion of Mr. Gregory,

The bill was referred to a select committee.

Ordered, That Messrs. Gregory, Thomas, and Dawson, be that committee.

And then the House adjourned till 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

Mr. Stuart, from the committee on Petitions, to which was referred the petition of sundry citizens of Putnam, praying the organization of a new county, out of said county and the county of Knox, &c.

Reported that said committee had had said petition under consideration;—that, in the opinion of your committee, the prayer of the petitioners should not be granted, for these reasons:—

1st. That the petition is signed, only by a portion of the citizens of Putnam, and there is no evidence upon which the committee can found the belief that a majority of the citizens of said counties, or either of them, have signed the petition.—On the contrary, the committee have reason to believe that only a small portion of the citizens of said counties have signed the petitions, and not amounting to a majority of either.

2d. There is no evidence before the committee, that the requisite notice has been given, as is required by the law upon the subject of dividing counties. From these facts, and under the principles which have heretofore governed the committee, and which have been sanctioned by this House, they beg leave to be discharged from the further consideration of the subject.

On the question,

Shall said committee be discharged from the further consideration of said Petition?

It was decided in the affirmative.

The bill from the Senate, entitled

“An act for the benefit of the town of Quincy in Adams county, was read the first time; and

Ordered to a second reading.

On motion of Mr. Cloud,

The rule of the House was dispensed with, and said bill was now read the second time, and by its title.

Ordered to a third reading.

The bill from the Senate, entitled

“An act to amend an act appropriating a portion of the avails arising from the sale of Saline lands, in Gallatin county, to internal improvements, approved Feb. 16, 1831,

Was read the first time; and

Ordered to a second reading.

On motion of Mr. Clark,

The rule of the House was dispensed with; and
The same was read the second time, by its title.

On motion of Mr. Link,

Said bill was referred to a select committee.

Ordered, That Messrs. Link, Thompson and Harreld be that committee.

The bill from the Senate, entitled

"An act concerning religious societies,"

Was read the first time; and

Ordered to a second reading.

On motion of Mr. Whiteside,

The rule of the House was dispensed with, and the bill

Was now read the second time, and by its title.

Mr. Whiteside moved to refer said bill to a select committee of five.

Mr. Nunnally moved to lay said bill on the table until the 4th day of July next.

The question being taken upon referring said bill to a select committee of five,

It was decided in the affirmative.

Ordered, That Messrs. Whiteside, Wyatt, Carpenter of Hamilton, Webb and Thomas be that committee.

The bill from the Senate, entitled

"An act to revive and continue in force an act authorizing a review of a part of the Vincennes and Chicago road,

Was read the first time, and

Ordered to a second reading.

On motion of Mr. Dubois,

The rule of the House was dispensed with, and

The bill was now read the second time and by its title, and

On motion of Mr. Manly,

Referred to a select committee.

Ordered, That Messrs. Manly, Dubois and Nunnally be that committee.

The bill from the Senate, entitled

"An act to extend for a limited time, the charter of the Bank of Illinois, at Shawneetown,"

Was read the first time, and,

Ordered to a second reading.

On motion of Mr. Stuart,

The rule of the House was dispensed with, and the bill

Was now read the second time by its title; and

On motion of Mr. Stuart,
Referred to a select committee.

Ordered, That Messrs. Stuart, Hampton and Bowyer be that committee.

A Message from the Senate, by Mr. White their Secretary,

"MR. SPEAKER—I am directed to inform the House of Representatives, that the Senate have concurred with them in the passage of a bill, entitled

"An act to locate a State road therein named, and for other purposes, as amended by them.

In which amendment they ask the concurrence of the House of Representatives.

They have also concurred with the House of Representatives in their amendment to the bill from the Senate, entitled

"An act concerning a State road therein named," as amended by them;

In which amendment of the Senate to the amendment of the House of Representatives, they ask the concurrence of the House of Representatives.

They have also concurred with the House of Representatives in their amendment to the title of said bill.

And then he withdrew.

The amendments of the Senate to the bill from the House, entitled

"An act to authorize the county commissioners courts of Randolph and Perry to refund certain taxes, and

"An act to authorize the county court of Montgomery county to change a certain State road therein named,"

Were severally read and concurred in.

Ordered, That the Clerk inform the Senate thereof.

Mr. Cloud, from the committee on Enrolled Bills, reported that said committee had this day laid before the Council of Revision, bills of the following titles, viz:

"An act to amend an act regulating elections;"

"An act further to amend an act to authorize James Nabb to build a toll bridge across the Embarrass river."

"An act to change a part of the State road from Greenville to Vandalia;"

"An act concerning public roads;"

"An act to change a part of the State road from Vincennes to Chicago, as lies in Crawford county."

The "Preamble and Resolutions relative to the National road," were this day handed to the Governor.

Mr. Murphy, in pursuance of previous notice, asked and obtained leave to introduce a bill, entitled

"An act for the benefit of the infant heirs of Robert B. Murphy, late of Perry county, deceased."

Which was read the first time, and

Ordered to a second reading.

On motion of Mr. Murphy,

The rule of the House was dispensed with, and

The bill was now read a second time, and by its title; and

On the further motion of Mr. Murphy,

Referred to a select committee.

Ordered, That Messrs. Murphy, Lincoln and Able be that committee.

Mr. Trower proposed for adoption the following resolution,

Resolved by the House of Representatives, (the Senate concurring herein) That the Governor be, and he is hereby requested to call a session of the Legislature, for the purpose of apportioning the representatives of the different counties in the state,

Which called session shall commence on the 1st Monday in December, A. D. 1835."

Mr. Dawson moved to lay said resolution on the table.

Mr. Webb moved to lay said resolution upon the table until the 4th day of July next.

The question being taken on laying said resolution on the table,

It was decided in the negative.

The question being on laying said resolution on the table until the 4th day of July next;

Mr. Stuart moved to refer said resolution to a select committee:

Which was agreed to.

Ordered, That Messrs. Stuart, Owen, and Hackelton, be that committee.

On motion of Mr. Dougherty,

The bill, entitled "An act for the relief of the sheriff of Union county;" some days since laid on the table, was taken up, and,

On motion of Mr. Dawson,

Said bill was referred to the committee on Finance.

On motion of Mr. Moore,

The bill entitled "An act for the relief of Justus Post and

Reni Paul, and others," some days since laid upon the table, was taken up.

On motion of Mr. Gregory,

Said bill was referred to a Committee of the Whole House, together with the report of the Committee on Finance.

On motion of Mr. Thomas,

The House now resolved itself into a committee of Whole House on said bill and report,

Mr. Wyatt in the chair,

And after some time spent therein,

Mr. Speaker resumed the chair and Mr. Wyatt reported, that the Committee of the Whole House had, according to order, had said bill and report under consideration, and had made an amendment thereto; in which amendment they ask the concurrence of the House.

On motion of Mr. Cloud,

Said bill was laid upon the table until the 4th day of July next. Yeas 31.—Nays 18.

The yeas and nays being called for by Messrs. Dougherty and Cunningham,

Those voting in the affirmative, are

Messrs. Anderson, Blackwell, Blockburger, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cloud, Cunningham, Dawson, Dougherty, Elliott, Ficklin, Fithian, Harris, Harreld, Hampton, Hughes, Hunt, Hunter, Link, Manly, McGahey, Nunnally, Oliver, Outhouse, Rowan, Thompson, Trower, and Wyatt.—31.

Those voting in the negative, are

Messrs. Able, Brown, Dubois, Frazer, Gregory, Gordon, Hackelton, Henry, Lincoln, Moore, Owen, Stuart, Thomas, Tunnel, Whiteside, Webb, Wren, and Mr. Speaker.—18.

A message from the Senate, by Mr. White their Secretary.

"MR. SPEAKER:—I am directed to inform the House of Representatives, that the Senate have passed a bill for

"An act to incorporate the subscribers to the Bank of the State of Illinois;"

In the passage of which, they ask the concurrence of the House of Representatives. And then he withdrew.

A message from the Senate by Mr. White, their Secretary.

"MR. SPEAKER,—I am directed to inform the House of Representatives, that the Senate have passed a bill for "An act for the construction of the Illinois and Michigan Canal;"

In the passage of which they ask the concurrence of the House of Representatives. And he withdrew.

Mr. Wyatt moved that the House adjourn.

Mr. Webb moved that the House adjourn until 7 o'clock this evening.

And then the House adjourned.

THURSDAY, *January 29, 1835,*

House met pursuant to adjournment.

Mr. Fithian presented the petition and remonstrance of sundry citizens of Vermillion county, praying that a part of said county of Vermillion be attached to the county of Champaign, and remonstrating against the same;

The reading whereof was, on his motion, dispensed with, and the same

Referred to the committee on Petitions.

Mr. Hackelton presented the petition of sundry citizens of Fulton county, relative to the appointment of a county surveyor for said county;

The reading whereof was, on his motion, dispensed with, and the same

Referred to the committee on Petitions.

Mr. Nunnally presented the petition of sundry citizens of Edgar county relative to a certain state road therein named, and, on his motion, the reading thereof was dispensed with, and the same was

Referred to a select committee.

Ordered, That Messrs. Nunnally, Elliott, and McGahey, be that committee.

Mr. Moore presented the petition of Salina Pain for a certain purpose; and, on his motion, the reading thereof was dispensed with, and the same was

Referred to the committee on Finance.

Mr. Hackelton presented the petition of sundry citizens of Fulton county, praying an additional Justice's District, and,

On his motion,

The reading thereof was dispensed with, and the same was referred to a select committee.

Ordered, That Messrs. Hackelton, Brown and Butler be that committee.

Mr. Whiteside, from the committee on Finance, who were instructed by resolution to inquire into the expediency of repealing the 8th section of an act making appropriations for the years 1833 and 1834, and such other parts as they may think expedient, reported a bill, entitled "An act to repeal certain parts of an act making appropriations for the years 1833 and 1834," approved, 2d March, 1833, which was read the first time, and

Ordered to a second reading.

Mr. Dawson, from the committee on internal improvements, to which was referred a communication from the Governor, &c. made the following report:

"The committee on internal improvements, to whom was referred a communication from the Governor, accompanying therewith a communication from the legislature of the State of Indiana, requesting some legislative action on a great national thoroughfare from the Miami Bay on Lake Erie to the rapids of the Illinois river, by the means of a railroad. Your committee readily concur with the legislature of the State of Indiana on the importance of the work, still your committee are compelled to differ with the views expressed by the aforesaid legislature, in the course said road should run through the State of Illinois. As this work is intended as a great link to bind more firmly, in one, the several interests of the different States, your committee are of an opinion, the better to effect the desired object of the movers of the project, would be to give said road its course to Jefferson city, in the State of Missouri, or westwardly to some point on the Mississippi river, passing through the counties of Sangamon and Morgan. Your committee, naming those counties as points, are not actuated by selfish motives, knowing as they do, that those two counties are near the geographical centre of the State; also a large portion of the country through which the said road would pass, is destitute of a water communication, or any great thoroughfare, while on the other hand, the north is well provided by the canal; and on the south, the great national road passes, while the more southern portions of our State are watered by the Great Wabash, Ohio, and Mississippi rivers—all of which is calculated to give importance to those sections of the State, without any commercial advantages. Your committee, believing as they do, such a work

would tend to give great facilities to the United States' mail, and direct communication with the eastern cities—all of which is desirable—this point being central, intelligence would flow to all parts of the State with more rapidity than if the same terminated at the aforesaid named rapids. As the completion of such a work would tend much to enhance the value of the lands belonging to the government through which said road must pass; and believing, as we do, the government would be the gainer in the sale of her waste and unappropriated lands, by said work: Therefore,

Be it resolved by the General Assembly, That our Senators in Congress be instructed, and Representatives be requested, to obtain the passage of a law, in conjunction with the delegates from the State of Indiana, Ohio, and Missouri, to effect the grant of five sections of land for every mile of said road from the place of beginning to its termination, to effect the aforesaid work, and they apply to the proper Department for an officer of the United States' corps of engineers to survey, locate, and make estimates of the cost of constructing a railroad on the aforesaid route. But should said route fail, then apply for said engineer to locate said route from the termination of the Indiana canal, on the Wabash river, westwardly, as aforesaid.

Resolved, That his Excellency the Governor, be requested to forward copies of the foregoing resolutions to each of our Senators and Representatives in Congress, and request their co-operation with the delegation of the aforesaid States, to effect the same;”

Which was read, considered and adopted.

Ordered, That the clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Moore, from the committee on Finance, to which was referred the petition of Salina Pain for a certain purpose, reported a bill, entitled

“An act for the relief of the heirs of Eli Pain, deceased;”

Which was read the first time, and ordered to a second reading.

On motion of Mr. Moore,

The rule of the House was dispensed with, and the said bill was now read the second time by its title; and

On the motion of Mr. Owen,

Referred to a select committee.

Ordered, That Messrs. Owen, Moore and Whiteside be that committee.

Mr. Butler, from the select committee, to which was referred the same bill, entitled

"An act for the relief of the widow and heirs of Christopher Whitman;"

Reported the same back to the House with an amendment, which was read and concurred in.

Ordered to be engrossed, as amended, for a third reading.

Mr. Rowan, from the select committee, to which was referred the bill, entitled

"An act to amend the practice act of 1827;"

Reported the same back to the House with an amendment, which was read and concurred in.

Ordered to be engrossed, as amended, for a third reading.

Mr. McGahey, from the select committee to which was referred the petition of sundry citizens of Crawford and Lawrence counties, praying for a review of a certain State road, reported that it is inexpedient to grant said review at this time, for the reason, that the committee have received a remonstrance from the citizens of Lawrence county, signed by a much greater number, remonstrating against said review, than had signed said petition. The committee therefore pray to be discharged from the further consideration of the subject.

On the question of discharging said committee from the further consideration of said subject,

It was decided in the affirmative.

Mr. Rowan, from the select committee to which was referred the bill, entitled

"An act directing the time of holding elections of representatives of Congress;"

Reported the same back to the House without amendment, and recommended a rejection of said bill.

The question being taken on engrossing said bill for a third reading, it was decided in the negative.

A message from the Senate by Mr. White, their Secretary—

Mr. SPEAKER—I am directed to inform the House of Representatives, that the Senate have passed a bill of the following title, viz:

"An act to provide for the issuing writs of *ne exeat*, *habeas corpus*, and for other purposes;"

In the passage of which, they ask the concurrence of the House of Representatives.

They have concurred with the House of Representatives in the passage of bills of the following titles, viz:

"An act to authorize Ezra Baker, jr., to erect a mill dam near Coffee Island on the Great Wabash river;"

"An act to organize the county of Mercer," and

"An act declaring the Snicarty, a branch of the Mississippi river, a navigable stream,"

And then he withdrew.

Mr. Link, from the select committee to which was referred the bill from the Senate, entitled

"An act providing for the security of the school funds,"

Reported the same back to the House with amendments, which were read and concurred in.

Mr. Wyatt moved to amend said bill, by adding the following proviso, viz:

"Provided, nevertheless, That no school commissioner as aforesaid, shall be eligible to a seat in the General Assembly of this State, any law to the contrary notwithstanding;"

Which was not agreed to.

Ordered to a third reading as amended.

Mr. Moore, from the select committee to which was referred the bill, entitled

"An act to amend an act, entitled an act for the relief of the poor, approved, March 1, 1833,"

Reported the same back to the House with an amendment, which was read and concurred in.

Ordered to be engrossed, as amended, for a third reading.

Mr. Manly, from the select committee to which was referred the bill, entitled

"An act to reduce the fees of justices of the peace and constables in certain cases," together with the amendments proposed by select committees, reported the same back to the House without amendment, and recommended a rejection of said bill.

Mr. Dubois moved to lay said bill upon the table.

Mr. Henry moved to lay said bill upon the table until the 4th day of July next.

The question being taken upon laying said bill upon the table, it was agreed to.

Mr. Gregory, from the select committee to which was referred the bill, entitled

"An act making the town of Lower Alton a district for the election of two justices of the peace and two constables,"

Reported the same back to the House with an amendment, which was read and concurred in.

Ordered to be engrossed, as amended, for a third reading.

Mr. Blackwell, from the select committee to which was referred the bill, entitled

"An act to repeal an act therein named," reported the same back to the House without amendment, and recommended a rejection of said bill.

Mr. Cunningham moved to refer said bill to a select committee.

Mr. Cloud moved to lay said bill upon the table until the 4th day of July next.

The question being taken upon laying said bill upon the table; it was decided in the negative.

The question being taken upon laying said bill upon the table until the 4th day of July next, it was decided in the affirmative.

Mr. Harris, from the select committee to which was referred the bill, entitled "An act relative to the town of Vandalia," reported the same back to the House with an amendment, and

On motion of Mr. Gordon,

Said bill and proposed amendment were referred to a select committee.

Ordered, that Messrs. Gordon, Cunningham, and Stuart be that committee.

Mr. Wyatt, from the committee on the Militia to which was referred, and who were instructed by resolution, to inquire into the expediency of repealing so much of the militia law as grants compensation to certain officers, &c., reported a bill, entitled "An act to amend the militia law of this State," which was read the first time, and

Ordered to a second reading.

On motion of Mr. Murphy,

The rule of the House was dispensed with, and the said bill was now read the second time by its title; and

On motion of Mr. Dawson,

Referred to a select committee of five.

Ordered, that Messrs. Dawson, Murphy, Harreld, Lincoln, and Harris be that committee.

Mr. Anderson, from the select committee to which was referred the petition of sundry citizens of Jefferson county, praying a certain State road, reported a bill, entitled "An act declaring the road from Mt. Vernon to Fairfield, a State road," which was read the first time, and

Ordered to a second reading.

Mr. Rowan, from the select committee to which was refer-

red the petition of sundry citizens of Gallatin county, praying a certain State road, &c., reported a bill, entitled "An act to change part of the State road leading from Equality to Mt. Vernon," which was read the first time, and

Ordered to a second reading.

On motion of Mr. Rowan,

The rule of the House was dispensed with, and the same was now read the second time by its title; and

On motion of Mr. Anderson,

Referred to a select committee.

Ordered, That Messrs. Anderson, Rowan, and Carpenter of Hamilton, be that committee.

Mr. Gordon, from the committee on Education, reported a bill, entitled

"An act concerning public officers;"

Which was read the first time, and

Ordered to a second reading.

Mr. Wyatt, from the committee on the Militia to which was referred the bill, entitled "An act to amend an act, entitled an act for the organization and government of the Militia of this State, in force from and after the 1st July, 1833," reported the same back to the House without amendment, and recommended a rejection of said bill.

On motion of Mr. Gordon,

Said bill was referred to the same select committee of five, to which was referred the bill, entitled "An act to amend the militia law of this State."

Mr. Ficklin, from the select committee to which was referred the bill, entitled "An act to amend an act relative to criminal jurisprudence, approved, February 26, 1833," reported the same back to the House with an amendment.

Mr. Webb moved to lay said bill upon the table.

Mr. Dawson moved to lay said bill upon the table until the 4th day of July next.

The question being taken on laying said bill upon the table, it was decided in the affirmative.

Mr. Gregory, from the select committee to which was referred the bill, entitled "An act to amend an act to incorporate the Wabash Navigation Company, approved, January 13, 1825," reported the same back to the House without amendment.

Ordered to be engrossed for a third reading.

Mr. Webb, in pursuance of previous notice, asked and ob-

tained leave to introduce a bill, entitled "An act to amend an act, entitled an act concerning Attorneys and Counsellors at law, approved, March 1st, 1833," which was read the first time, and

Ordered to a second reading.

Mr. Dougherty, in pursuance of previous notice, asked and obtained leave to introduce a bill, entitled "An act for the relief of the persons therein named," which was read the first time, and

Ordered to a second reading.

Mr. Dawson, in pursuance of previous notice, asked and obtained leave to introduce a bill, entitled "An act relative to a State road therein named," which was read the first time, and

Ordered to a second reading.

On motion of Mr. Dawson,

The rule of the House was dispensed with, and the same was now read the second time by its title.

Ordered to be engrossed for a third reading.

Mr. Blockburger proposed for adoption, the following resolution, viz:

"Resolved by the House of Representatives, (the Senate concurring herein,) That the resolution passed a few days ago, having for its object the adjournment of both branches of this General Assembly on the 7th day of February next, be, and the same is hereby rescinded."

Mr. Gregory moved that said resolution be laid upon the table.

Mr. Moore moved that the House adjourn until 2 o'clock, P. M., which was not agreed to.

The question being then taken on laying said resolution upon the table, it was agreed to.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

Mr. Blockburger proposed for adoption, the following resolutions, viz:

1st. *Resolved by the General Assembly of the State of Illinois,* (two-thirds of the members concurring herein,) That it has become necessary to amend the present Constitution of this State so as (among other things) to prohibit slavery within her limits.

2d. *Resolved,* That it be recommended to the electors at the next election of members to the General Assembly, to vote for or against a Convention, which shall have no power to introduce slavery into this State, under any pretence whatever.

3d. *Resolved,* That the votes to be given for a Convention, as above stated, shall be considered as obligatory instructions to the said Convention, when organized, to suffer no provision in the Constitution to justify or authorize slavery in this State.

On motion of Mr. Blockburger,

Said resolutions were laid upon the table.

Mr. Hughes, from the committee on Public Accounts and Expenditures, introduced a bill, entitled

"An act to amend an act, entitled an act relative to the duties of the office of Attorney General of this State;"

Which was read the first time, and

Ordered to a second reading.

On motion of Mr. Blackwell,

The rule of the House was dispensed with, and said bill was now read the second time by its title; and

On motion of Mr. Gordon,

Referred to a select committee.

Ordered, That Messrs. Gordon, Hughes, and Whiteside, be that committee,

Mr. Dubois, from the select committee to which was referred the bill for "An act to incorporate the Peoria Bridge Company," reported the same with amendments, which was read and concurred in.

The bill was then ordered to be engrossed for a third reading.

Mr. Stuart, from the select committee to which was referred the bill, entitled "An act relative to the receiver of the Vermilion Reserve, and the commissioner of the Gallatin Saline Lands," and the proposed amendments, reported the same with an amendment, by striking out the proposed amendments to the bill; which report was concurred in.

The bill then passed.

Ordered, That the title of the bill be as aforesaid; that the clerk carry said bill to the Senate, and ask their concurrence therein.

Mr. Nunnally proposed for adoption, the following resolution:

Resolved, That the Governor be requested to furnish this House all the information in his power, or which he can obtain in relation to a decision of the Supreme Court of this State, declaring the "Act concerning the payment of money out of the State Treasury," unconstitutional and void—whether the said court gave any opinion, in writing, agreeable to the 9th section of the "Act regulating the Supreme and Circuit Courts;" and if so, to furnish this House with a copy of that opinion; and whether any money has been drawn from the Treasury contrary to the act first above recited, and if so, what amount, and by whom the same has been drawn;

Which was read; when,

On motion of Mr. Henry,

The resolution was referred to a select committee.

Ordered, That Messrs. Henry, Nunnally, and Carpenter of Sangamon, be that committee.

Mr. Nunnally moved to take up the bill some days since laid on the table, for "An act to remove the Seat of Justice of Clark county;"

Which motion was decided in the negative.

Message from the Council of Revision by Mr. Brown, their Secretary:

"MR. SPEAKER—The Council of Revision have approved bills of the following titles:

"An act to amend an act regulating elections;"

"An act to change a part of the State road leading from Greenville to Vandalia;"

"An act further to amend an act to authorize James Nabb to build a toll bridge across the Embarrass river;"

And he withdrew.

Mr. Stuart, from the select committee to which was referred the bill from the Senate, entitled "An act to extend for a limited time the Charter of the Bank of Illinois at Shawneetown," reported the same without amendment.

Mr. Wyatt moved to refer the bill to a select committee, which was not agreed to; when,

On motion of Mr. Rowan,

The bill was laid upon the table.

Mr. Manly, from the select committee to which was referred the bill for "An act giving justices of the peace jurisdiction in cases of detinue and replevin," reported the same with an

amendment, which was read, and not agreed to. The bill was then ordered to be engrossed for a third reading.

Mr. Dawson, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill for "An act further to prevent gaming in this State," which was read the first time, and

Ordered to a second reading.

On motion of Mr. Cunningham,

The rule of the House was dispensed with, and the bill read a second time by its title.

On motion of Mr. Blackwell,

The bill was referred to a select committee.

Ordered, That Messrs. Blackwell, Dawson, and Clark, be that committee.

Mr. Bowyer, in pursuance of notice heretofore given, asked and obtained leave to introduce a bill for "An act for the benefit of Franklin county," which was read the first time, and

Ordered to a second reading.

On motion of Mr. Bowyer,

The rule of the House was dispensed with, and the same read a second time by its title.

On motion of Mr. Webb,

The bill was referred to the committee on Finance.

Mr. Gregory, from the committee on Education, reported a bill for "An act providing for the Education of orphan children," which was read the first time, and

Ordered to a second reading.

The bill from the Senate, entitled "An act for the construction of the Illinois and Michigan Canal," was read the first time, and

Ordered to a second reading.

On motion of Mr. Rowan,

The rule of the House was dispensed with, and the bill read a second time by its title.

On motion of Mr. Stuart,

The bill was referred to a select committee.

Ordered, That Messrs. Stuart, Hamlin, and Brown, be that committee.

Mr. Wren, from the select committee to which was referred a resolution relative to the establishment of certain mail routes, reported the following, which was read, viz:

"WHEREAS, many portions of our State labor under very great disadvantages by reason of the want of additional mail

routes, and by the establishment of the following mail routes, a very large proportion of her population would be greatly benefited:

"1st. One from Vandalia via Salem in Marion county, via Mount Vernon in Jefferson county, via Frankfort in Franklin county, to Golconda in Pope county.

"2d. From Pittsfield in Pike county, via Griggsville to Rushville in Schuyler county.

"3d. From Edwardsville in Madison county, via Hillsboro' in Montgomery county, to Shelbyville in Shelby county.

"4th. From Peoria in Peoria county, via Canton and Lewiston in Fulton county, to Quincy in Adams county.

"5th. From Frankfort in Franklin county, to Jonesboro' in Union county; and

"6th. From Brownsville in Jackson county, to Frankfort in Franklin county."

The General Assembly of the State of Illinois, would respectfully represent, that the establishment of the aforesaid mail routes, would afford great facilities to a great portion of the population of this State: Therefore,

Resolved, That our Senators in Congress be instructed, and our Representatives requested, to use their best exertions to procure the passage of a law to establish the above mentioned mail routes.

On motion of Mr. Frazer,

The preamble and resolution were referred to a select committee.

Ordered, That Messrs. Frazer, Wren, Dubois, Cunningham, and Owen, be that committee.

Mr. Trower, from the committee on Education, reported a bill for "An act for the relief of a person therein named;" which was read the first time, and

Ordered to a second reading.

The engrossed bill, entitled "An act for the relief of debtors to the President and Directors of the State Bank of Illinois," was read the third time.

On the question, shall said bill pass?

It was decided in the negative. Yeas 23—Nays 26.

The yeas and nays being called for by Messrs. Cloud and Gordon,

Those voting in the affirmative, are,

Messrs. Able, Blackwell, Brown, Carpenter of Hamilton, Dubois, Elliott, Ficklin, Fithian, Frazer, Gregory, Hackel-

ton, Harris, Henry, Hunt, Lincoln, Link, Owen, Rowan, Vandevanter, Whiteside, Webb, and Wyatt—23.

Those voting in the negative, are,

Messrs. Anderson, Blockburger, Bowyer, Butler, Carpenter of Sangamon, Clark, Cloud, Cunningham, Dawson, Dougherty, Gordon, Hamlin, Hampton, Hughes, Hunter, Moore, McGahey, Nunnally, Oliver, Outhouse, Stuart, Thompson, Trower, Tunnel, Wren, and Mr. Speaker—26.

The bill from the Senate, entitled "An act for the benefit of Peter Warren, John Storm, and Andrew Caldwell," was read the third time; and

On motion of Mr. Rowan,

Referred to a select committee.

Ordered, That Messrs. Rowan, Trower, and Oliver, be that committee.

The engrossed bills, entitled "An act to locate the Seat of Justice of Rock Island county;" and

"An act to locate a State road from Shelbyville to Chicago," were severally read the third time, and passed.

Ordered, That the titles of the bills be as aforesaid—that the clerk inform the Senate thereof, and ask their concurrence therein.

The bill from the Senate, entitled "An act for the benefit of the town of Quincy in Adams county," was read the third time, and passed.

Ordered, That the title of the bill be as aforesaid, and that the clerk inform the Senate thereof.

On motion of Mr. Moore,

The rule of the House was dispensed with, and the bill, entitled "An act regulating Schools in township 39 north, range 14 east," was read the third time by its title, and passed.

Ordered, That the title of the bill be as aforesaid—that the clerk inform the Senate thereof, and ask their concurrence therein.

The bill entitled "An act to extend the time of returning Marriage License," was read the second time, and

On motion of Mr. Thomas,

Referred to a select committee.

Ordered, That Messrs. Thomas, McGahey, and Tunnel, be that committee.

The bill entitled "An act for the incorporation of Fire Companies," was read the second time, and

On motion of Mr. Hamlin,

Referred to a select committee.

Ordered, That Messrs. Hamlin, Thomas, and Hunt, be that committee.

The bill entitled "An act to make an appropriation out of the funds arising from the sale of lots in the town of Vandalia," was read the second time.

Mr. Thomas moved to refer said bill to a select committee.

Mr. Blockburger moved to refer said bill to a select committee of five; which was not agreed to.

Mr. Blackwell moved to refer said bill to a committee of the Whole House.

Mr. Webb moved to lay said bill upon the table.

The question being taken on referring said bill to a select committee, it was not agreed to.

The question being taken upon referring said bill to a committee of the Whole House, it was not agreed to.

The bill was then laid upon the table.

The bill from the Senate, entitled "An act to amend an act, entitled an act to amend an act, entitled an act to provide for the election of justices of the peace and constables, approved, January 7, 1835," was read the second time; and,

On motion of Mr. Dawson,

Referred to a select committee.

Ordered, That Messrs. Dawson, Bowyer, and Carpenter of Hamilton, be that committee.

The bill from the Senate, entitled "An act for the benefit of Cook county," was read the second time, and

Ordered to a third reading.

On motion of Mr. Hamlin,

The rule of the House was dispensed with, and said bill was now read the third time by its title, and passed.

Ordered, That the title of the bill be as aforesaid, and that the clerk inform the Senate thereof.

The bill entitled "An act to amend an act, entitled an act to incorporate the St. Clair Turnpike Road Company, approved, February 15, 1833," was read the second time; and,

On motion of Mr. Hughes,

Referred to a select committee.

Ordered, That Messrs. Hughes, Outhouse, and Harris, be that committee.

The bill from the Senate, entitled "An act changing parts of a State road from the mouth of Ohio in Alexander county, to Jonesborough in Union county," was read the second time, and

Ordered to a third reading.

On motion of Mr. Dawson,

The rule of the House was dispensed with, and said bill was now read the third time by its title, and passed.

Ordered, That the title of the bill be as aforesaid, and that the clerk inform the Senate thereof.

The bill from the Senate, entitled "An act to lay out a road from Moses Thomas's in Champaign county, to Bloomington in McLean county," was read the second time, and

Ordered to a third reading.

On motion of Mr. Vandevanter,

The rule of the House was dispensed with, and said bill was now read the third time by its title, and passed.

Ordered, That the title of the bill be as aforesaid, and that the clerk inform the Senate thereof.

Mr. Dawson moved that the House adjourn, which was not agreed to.

Mr. Wren moved that the House adjourn, which was not agreed to.

The bill from the Senate, entitled "An act concerning the sale of School lands, situated in the county of Tazewell," was read the second time, and

Ordered to a third reading.

Mr. Rowan, from the select committee to which was referred the bill from the Senate, entitled "An act for the benefit of Robert Ritchey," reported the same back to the House without amendment.

Ordered to a third reading.

Mr. Trower, in pursuance of previous notice, asked and obtained leave to introduce a bill, entitled "An act for the purposes therein named," which was read the first time, and

Ordered to a second reading.

Mr. Rowan, in pursuance of previous notice, asked and obtained leave to introduce a bill, entitled "An act to amend an act concerning Shawneetown," which was read the first time, and

Ordered to a second reading.

Mr. Trower, in pursuance of previous notice, asked and obtained leave to introduce a bill, entitled "An act to change the name of Claiborn Elder," which was read the first time, and

Ordered to a second reading.

On motion of Mr. Rowan,

The rule of the House was dispensed with, and the bill, en-

titled "An act to amend an act concerning Shawneetown," was read the second time by its title; and

On the further motion of Mr. Rowan,

Referred to a select committee.

Ordered, That Messrs. Rowan, Oliver, and Hunt, be that committee.

Mr. Nunnally moved that the House adjourn, which was not agreed to.

Mr. Dawson proposed for adoption, the following resolution, viz:

Resolved by this General Assembly, That — and

On motion of Mr. Dawson,

Said resolution was referred to a select committee.

Ordered, That Messrs. Dawson, Bowyer, and Frazer, be that committee.

Mr. Cunningham moved that the House adjourn, which was not agreed to.

The amendments of the Senate to the bill from the House, entitled "An act concerning a State road therein named," were read and concurred in.

Ordered, That the clerk inform the Senate thereof.

And then the House adjourned.

FRIDAY, January 30, 1835.

House met pursuant to adjournment.

Mr. Whiteside, from the select committee to which was referred the bill from the Senate, entitled "An act concerning Religious Societies," reported the same back to the House without amendment.

Ordered to a third reading.

Mr. Nunnally, from the select committee to which was referred the petition of sundry citizens of Edgar county, relative to a State road therein named, reported a bill, entitled "An act to authorize the county commissioners of Edgar county to establish and re-locate a certain State road therein mentioned," which was read the first time, and

Ordered to a second reading.

On motion of Mr. Cunningham,

The rule of the House was dispensed with, and said bill was now read the second time by its title.

Ordered to be engrossed for a third reading.

Mr. Whiteside, from the select committee to which was referred the bill, entitled "An act concerning the 16th section in Equality township, Gallatin county," reported back to the House a substitute, which was read and concurred in; and

On motion of Mr. Cloud,

Referred to a select committee.

Ordered, That Messrs. Cloud, Hampton, and Oliver, be that committee.

Mr. Manly, from the select committee to which was referred the bill from the Senate, entitled "An act to revive and continue in force, 'An act authorizing a review of a part of the Vincennes and Chicago Road,'" reported the same back to the House with an amendment, which was read and concurred in.

Ordered to a third reading.

Mr. Dawson, from the select committee to which was referred the bill from the Senate, entitled "An act to amend an act, entitled an act to amend an act, entitled an act to provide for the election of Justices of the peace and constables, approved, January 7, 1835," reported the same back to the House without amendment, and recommended its passage.

Ordered to a third reading.

Mr. Henry, from the select committee to which was referred the resolution requesting the Governor to furnish this House with all the information in his power in relation to the decision of the Supreme Court of the State of Illinois, declaring unconstitutional "An act concerning the payment of money out of the State Treasury," &c., reported the same back to the House without amendment.

The resolution was then considered and adopted.

Mr. Stuart, from the committee on Petitions, to which was referred the petition of sundry citizens of Fulton county, relative to the appointment of a county surveyor, reported the following resolution, viz:

"The committee on petitions to whom was referred the petitions of sundry citizens of Fulton county, recommending John L. Dyer to be county surveyor of Fulton county, and a part recommending Hugh Lamaster for the same office, have had the same under consideration, and upon counting the petitioners' names, they find that John L. Dyer is recommended by 204 of the citizens of said county; and Hugh Lamaster is recommend-

ed by 364, which gives to the said Hugh Lamaster a majority of 160. Under this state of facts, they have directed me to report the following resolution:

“Resolved by the House of Representatives, That Hugh Lamaster be recommended to the Senate as a suitable person to fill the office of County Surveyor of Fulton county.”

Ordered, That the clerk inform the Senate thereof.

Mr. Hughes, from the select committee to which was referred the bill, entitled “An act to amend an act, entitled an act to incorporate the St. Clair Turnpike Road Company, approved, February 15, 1833,” reported the same back to the House with an amendment, which was read and concurred in.

Ordered to be engrossed, as amended, for third reading.

The bill from the Senate, entitled “An act to provide for issuing writs of *Ne Exeat* and *Habeas Corpus*, and for other purposes,” was read the first time, and

Ordered to a second reading.

On motion of Mr. Dawson,

The rule of the House was dispensed with, and said bill was now read the second time by its title, and

On the further motion of Mr. Dawson,

Referred to the committee on the Judiciary.

Mr. Wyatt, from the select committee to which was referred the bill, entitled “An act providing compensation for Grand and Petit Jurors,” and proposed amendments thereto, reported the same back to the House with an amendment, by striking out all the proposed amendments, which amendments were read.

Mr. Rowan moved to refer said bill and proposed amendments, to the committee on the Judiciary, which was not agreed to.

The question being taken upon concurring in the proposed amendments of the select committee,

Mr. Gordon called for a division of the question;

The question being then taken upon striking out so much as repeals that part giving 25 cents to Petit Jurors on trials in civil cases, it was agreed to.

The question being taken on concurring in the report and amendment of the select committee, it was then concurred in.

Mr. Rowan moved to amend said bill by adding the following, viz:

“All fines and forfeitures shall be applied for the purpose of paying Grand and Petit Jurors.”

Mr. Henry moved to lay said bill and proposed amendments upon the table, which was not agreed to. Yeas 6—Nays 44.

The yeas and nays being called for by Messrs. Hughes and Hunter,

Those voting in the affirmative, are

Messrs. Able, Brown, Ficklin, Henry, Trower, and Tunnel—6.

Those voting in the negative, are

Messrs. Anderson, Blackwell, Blockburger, Bowyer, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cloud, Cunningham, Dawson, Dougherty, Dubois, Elliott, Fithian, Frazer, Gregory, Gordon, Hamlin, Harris, Hampton, Harreld, Hughes, Hunt, Hunter, Lincoln, Link, Moore, McGahey, Murphy, Nunnally, Oliver, Outhouse, Owen, Rowan, Stuart, Thompson, Thomas, Vandevanter, Whiteside, Webb, Wren, Wyatt, and Mr. Speaker—44.

Mr. Hughes moved the previous question.

The question being taken upon the proposed amendment, it was decided in the negative. Yeas 16—Nays 34.

The yeas and nays being called for by Messrs. Rowan and Ficklin,

Those voting in the affirmative are,

Messrs. Blockburger, Bowyer, Brown, Butler, Carpenter of Hamilton, Ficklin, Gregory, Harreld, Hampton, Henry, Hunter, Rowan, Trower, Tunnel, Vandevanter, and Wren—16.

Those voting in the negative, are

Messrs. Able, Anderson, Blackwell, Carpenter of Sangamon, Clark, Cloud, Cunningham, Dougherty, Dawson, Dubois, Elliott, Fithian, Frazer, Gordon, Hamlin, Harris, Hughes, Hunt, Lincoln, Link, Moore, McGahey, Murphy, Nunnally, Oliver, Outhouse, Owen, Stuart, Thompson, Thomas, Whiteside, Webb, Wyatt, and Mr. Speaker—34.

The question being put, shall the main question be now put?

It was decided in the affirmative.

The question being put, shall the bill be engrossed for a third reading?

It was decided in the affirmative.

Message from the Senate by Mr. White, their Secretary:

MR. SPEAKER—I am directed to inform the House of Representatives that the Senate have adopted the following resolution, viz:

“Resolved by the Senate, (the House of Representatives concurring herein,) That our Senators and Representatives in Con-

gress be requested to use their influence to procure the consent of the Congress of the United States to rescind so much of the Compact between this State and the United States, as prohibits this State from taxing lands sold in it by the United States, for five years from and after the time of such sale," in the adoption of which, they ask the concurrence of the House of Representatives; and then he withdrew.

Mr. Hamlin, from the select committee to which was referred the bill, entitled "An act for the incorporation of Fire Companies," reported the same back to the House with an amendment, which was read and concurred in.

Ordered to be engrossed, as amended, for a third reading.

Mr. Hunter, from the select committee to which was referred the petition of sundry citizens of Bond county, praying a change in a certain State road, reported a bill, entitled "An act to lay out a State road from Greenville in Bond county, to Carlinville in Macoupin county," which was read the first time, and

Ordered to a second reading.

On motion of Mr. Hunter,

The rule of the House was dispensed with, and said bill was now read the second time by its title.

Ordered to be engrossed for a third reading.

Mr. Frazer, from the select committee to which was referred the preamble and resolutions relative to certain Mail Routes in this State, reported the same back to the House with sundry amendments, which were read; and,

On motion of Mr. Murphy,

Referred to a select committee.

Ordered, That Messrs. Murphy, Clark, and Carpenter of Sangamon, be that committee.

On motion of Mr. Webb,

The House now resolved itself into a committee of the Whole House, to take into consideration the bill, entitled "An act making appropriations for the years 1835 and 1836," Mr. Wyatt in the Chair, and after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Wyatt reported that the committee of the Whole House had, according to order, had said bill under consideration—had made some progress therein, and had directed him to ask leave to sit again.

On the question, shall leave be granted?

It was decided in the affirmative.

A message from the Senate by Mr. Davis, their Assistant Secretary:

"Mr. SPEAKER—I am directed to inform the House of Representatives that the Senate have passed bills of the following titles, viz:

"An act regulating the terms of holding the Supreme and Circuit Courts, and fixing the salarie of the Circuit Judges," and

"An act concerning the School Fund," in the passage of which they ask the concurrence of the House of Representatives; and then he withdrew.

On motion of Mr. Dawson,

The bill some days since laid upon the table, entitled "An act regulating the salaries of the Auditor and Treasurer," was taken up for consideration.

Mr. Dougherty moved to amend the bill by striking out the sum of "800," and insert "1000," as the salary of the Secretary of State.

A division of the question being called for,

The question was taken on striking out "300," which was not agreed to. Yeas 11—Nays 39.

The yeas and nays being called for by Messrs. Dawson, and Carpenter of Hamilton;

Those voting in the affirmative, are

Messrs. Able, Blackwell, Dougherty, Gregory, Hamlin, Manly, Oliver, Owen, Rowen, Vandevanter, and Wren—11.

Those voting in the negative, are

Messrs. Anderson, Blockburger, Bowyer, Brown, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cloud, Cunningham, Dawson, Dubois, Elliott, Ficklin, Fithian, Frazer, Gordon, Harris, Harreld, Hampton, Hughes, Hunt, Hunter; Lincoln, Link, Moore, McGahey, Murphey, Nunnally, Out-house, Stuart, Thomas, Thompson, Tunnel, Whiteside, Wyatt, and Mr. Speaker—39.

The bill then passed.

Mr. Gordon moved to amend the title of said bill by striking out the word "and" before the word "Treasurer," and add the words "and Secretary of State" after it; which was agreed to.

Ordered, That the title of the bill be as amended—that the clerk inform the Senate thereof, and ask their concurrence therein.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

Mr. Stuart, from the select committee to which was referred the resolution relative to a called session of the Legislature, &c. reported the following substitute, viz:

"WHEREAS, the census or enumeration of the inhabitants of this State will be taken during the present year; and whereas, since the last apportionment of Representatives in the General Assembly, many counties then thinly settled, have become densely populated, which renders the present representation unequal and unjust; and whereas, in a Republican Government like ours, the basis of Representation should be equal and alike; and whereas, it only becomes the duty of the Executive to convene the Legislature on extraordinary occasions, as it is believed that the fact above stated, does not create the extraordinary occasion contemplated by the Constitution: Therefore,

"Be it resolved by the House of Representatives, (the Senate concurring herein,) That when this General Assembly adjourns, it shall adjourn to meet again at the Seat of Government on the first Monday of December, 1835."

Mr. Webb moved to lay the resolution and proposed substitute on the table until the 4th day of July next.

The yeas and nays being called for on this motion, by Messrs. Webb and Dougherty,

Those voting in the affirmative, are

Messrs. Able, Anderson, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Dougherty, Dubois, Ficklin, Fithian, Frazer, Gordon, Henry, Hughes, Hunt, Manly, Moore, McGahey, Murphy, Oliver, Outhouse, Whiteside, Webb, and Mr. Speaker—23.

Those voting in the negative, are

Messrs. Blockburger, Brown, Butler, Cloud, Cunningham, Dawson, Elliott, Hackelton, Hamlin, Harris, Harreld, Hampton, Hunter, Lincoln, Link, Nunnally, Owen, Rowan, Stuart, Thomas, Tunnel, Vandevanter, and Wyatt—23.

So the House refused to lay the resolution and proposed substitute on the table until the 4th day of July next.

Mr. Dawson moved to amend the resolution and proposed amendment by striking out all after the word "resolved," and insert the following, viz:

"By the General Assembly, That justice requires this Legisla-

ture to be convened next December, to apportion the representation of the several counties of this State;" which amendment was adopted.

The question was then put, will the *House* concur in the report of the select committee, as amended? and decided in the affirmative.

The question was then put, shall the resolution, as amended, be adopted? and decided in the affirmative. Yeas 31—Nays 18.

The ayes and nays being called for, on the adoption of this resolution, by Messrs. Thompson and Moore,

Those voting in the affirmative, are

Messrs. Blackwell, Blockburger, Brown, Butler, Carpenter of Sangamon, Cloud, Cunningham, Dawson, Elliott, Fithian, Frazer, Hackelton, Hamlin, Harris, Hampton, Henry, Hughes, Hunter, Lincoln, Link, Manly, Moore, Nunnally, Owen, Rowan, Stuart, Thomas, Tunnel, Vandevanter, Wyatt, and Mr. Speaker—31.

Those voting in the negative, are

Messrs. Able, Anderson, Clark, Carpenter of Hamilton, Dougherty, Dubois, Ficklin, Gordon, Harreld, Hunt, McGahey, Murphy, Oliver, Outhouse, Thompson, Whiteside, Webb, and Wren—18.

Ordered, That the clerk carry said resolution to the Senate, and ask their concurrence therein.

Message from the Council of Revision, by Mr. Brown, their Secretary, which was read, and is as follows, viz:

The Council of Revision have had under consideration a bill, entitled "An act to amend an act, entitled 'An act relating to the Attorney General and State's Attorneys,'" and return the same to the House of Representatives as improper to become a law of this State. for the following reasons, to wit:

1st. The Council believe that the first section of the bill which requires "that there shall be elected by the General Assembly, on joint vote, at the present session, and every two years thereafter, one State's Attorney for each Judicial Circuit, now or hereafter to be created in this State," to be a violation of the Constitution of this State. A bill containing similar provisions, was presented to the Council of Revision on the 17th day of February, 1827, which was returned by the Council with their objections; and as the Council believe that the objections then made to the passage of that bill, have lost none of their force by time, they respectfully recommend them to the consideration of the General Assembly, as applying to the

first section of the bill under revision. The objections were as follows, to wit:

1st. Because, in their opinion, no evil has resulted to the people under the manner of appointing Circuit or State's Attorneys, as the same has prevailed ever since the adoption of the Constitution of this State. The Senate are considered by the Council as a sufficient check upon improper nominations by the Executive.

2d. Because, they believe the appointment of the officers mentioned in the said third section, to be an Executive function, and that it ought not to be exercised by the two Houses of the General Assembly, unless the power is expressly given to them by the Constitution.

The first article of that instrument is as follows:

"The powers of the government of the State of Illinois shall be divided into three distinct departments, and each of them confided to a separate body of magistracy, to wit: Those which are Legislative to one; those which are Executive to another, and those which are Judiciary to another. No person, or collection of persons, being one of those departments, shall exercise any power properly belonging to either of the others, except as hereinafterwards expressly directed or permitted."

The Council, after a careful perusal of the Constitution, have been unable to find any article or section which expressly directs or permits the two Houses of the General Assembly to make the appointments contemplated by this act. That nomination to office, is exclusively an Executive function. The Council beg leave to quote an extract of a letter from that great apostle of liberty, and the immortal author of the Declaration of Independence, the late Thomas Jefferson. The letter was written on the 21st November, 1816, to S. Kercheval, Esq., of Virginia. The extract is as follows:

"Nomination to office, is an Executive function; to give it to the legislature as we do, is a violation of the principle of the separation of powers; it swerves members from correctness by temptation to intrigue for office themselves, and to a corrupt barter for votes; and destroys responsibility by dividing it among a multitude. By leaving nomination in its proper place, among Executive functions, the principle of the distribution of powers is preserved, and responsibility weighs with its heaviest force upon a single head."

That upright, able, and popular chief magistrate, Governor Morrow, in his valedictory address as the Governor of Ohio,

raises his warning voice against confounding the different functions of Government, as had been too much practised in that State. It is his opinion, that to keep the different departments of the Government in a healthy action, it is necessary that each should carefully abstain from the performance of acts properly belonging to another.

3d. The Council object to the third section of the bill, because they entertain strong doubts whether its passage will not be a direct violation of the 22d section of the 3d article of the Constitution. The section is as follows:

"The Governor shall nominate, and by and with the advice and consent of the Senate, appoint all officers, whose offices are established by this Constitution, or shall be established by law, and whose appointments are not herein otherwise provided for: *Provided, however,* That inspectors, collectors, and their deputies, surveyors of highways, constables, jailors, and such inferior officers, whose jurisdiction shall be confined within the limits of a county, shall be appointed in such manner as the General Assembly may prescribe."

State's Attorneys are not officers whose jurisdiction is not confined within the limits of a county, so as to bring them within the proviso of this section, were there no other provisions in the Constitution than those quoted that have reference to this subject, no one could for a moment entertain a doubt, that this bill would be a palpable violation of that instrument. The Council are, however, aware, that in the first section of the schedule, language is used, which, by a very broad and extended construction, might authorize the General Assembly to exercise the power of appointing, not only Circuit or State's Attorneys, but every other officer (except they be elected) to be commissioned under the Government, and thus, "by one fell-swoop," entirely obliterate from that sacred instrument, some of its most important and valuable features. The section is as follows:

"An Auditor of Public Accounts, an Attorney General, and such other officers of the State as may be necessary, may be appointed by the General Assembly, whose duties may be regulated by law."

It is a well settled and sound rule of construction, that the context should be regarded, as well in construing constitutions, as other instruments and laws, and that every section ought to be so interpreted, as to permit every other article to stand and be operative. If, however, this broad construction is to prevail.

that the Legislature, may appoint these and other officers, then the 1st article, and the 22d section of the 3d article, will, in a great degree, become a dead letter. The distinction between Legislative and Executive functions, so far as it regards appointments to office, will be abolished, and the Governor and Senate will be stripped of all the appointing power conferred upon them by the Constitution.

The Council cannot accede to a construction of that instrument, which will obliterate such important portions of it. The Council greatly regret, that a bill, out of which will grow such grave and important questions, should be presented to them on the last day of the General Assembly; but as they have no desire to interfere with the constitutional exercise of any power "properly belonging" to the Legislative department, they have, in a very hasty and crude manner, thrown together their ideas on this interesting and highly important subject, and transmit them, without delay, to the Legislature.

NINIAN EDWARDS,
WM. WILSON,
THOS. C. BROWN,
SAML. D. LOCKWOOD.

When the above objections were presented to the House of Representatives, that body, by a vote of 25 to 8, and the Senate, without division, concurred in the views of the Council.

2d. The Council object to the bill, because the office of State's Attorney is a local office, and five-sixths of the members of the Legislature are not responsible to the people, whose interests are principally to be affected by the appointment.—Hence it follows, that a majority of the Legislature may impose an officer upon the Circuit, although he may be obnoxious, not only to all the members from that Circuit, but also to the people residing within its bounds. And yet that majority will not be responsible to the people, whose wishes and interests may be thus disregarded. This, it is conceived, is not consistent with the principles of a Republican Government, and ought never to be adopted as the basis of Legislation, unless the Constitution expressly required it.

3d. The bill violates a salutary principle of Free Government, by vesting in the same department, the power of creating and filling the same office. This principle may lead to the creation of unnecessary offices, for the sake of filling them with favorites. But leave the appointment of officers to the Execu-

tive and Senate, or to the people, and no such temptation will exist.

JOSEPH DUNCAN,
WM. WILSON,
SAML. D. LOCKWOOD.

I concur in sending the bill back, for the reasons given by the Council in 1827.

THOS. C. BROWN.

On motion of Mr. Thomas,

The bill and objections of the Council, were committed to a committee of the Whole House,

On motion of Mr. Wyatt,

The House then resolved itself into a committee of the Whole House, to take into consideration said bill and objections of the Council; and after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Thomas reported that the committee of the Whole had, according to order, had said bill and objections under consideration, and directed him to report the same back to the House without amendment.

The question was then put, shall the bill again pass, the objections of the Council to the contrary notwithstanding?

It was decided in the affirmative. Yeas 33—Nays 18.

The yeas and nays being taken upon the passage of the bill, Those voting in the affirmative, are

Messrs. Able, Anderson, Blockburger, Bowyer, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cloud, Cunningham, Dawson, Dougherty, Ficklin, Hackelton, Harris, Harreld, Hampton, Hughes, Hunter, Link, McGahey, Murphy, Nunnally, Oliver, Outhouse, Rowan, Thompson, Thomas, Trower, Tunnel, Vandevanter, Whiteside, Wyatt, and Mr. Speaker—33.

Those voting in the negative, are

Messrs. Blackwell, Brown, Butler, Dubois, Elliott, Fithian, Frazer, Gordon, Hamlin, Henry, Hunt, Lincoln, Manly, Moore, Owen, Stuart, Webb, and Wren—18.

The said bill having passed by a majority of all the members elected,

Ordered, That the clerk carry said bill, with the objections of the Council, to the Senate, and ask their concurrence in the passage of said bill.

Mr. Link, from the select committee to which was referred the bill, entitled "An act to provide for the Election of County Recorders and Surveyors," together with the objections of the

Council of Revision, against the same becoming a law, reported the same back to the House without amendment;

The question was then put, shall said bill again pass, the objections of the council to the contrary notwithstanding?

It was decided in the affirmative:—Yeas, 32; Nays 14.

The yeas and nays being taken upon the passage of this bill;

Those voting in the affirmative, are,

Messrs. Able, Blockburger, Brown, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Cloud, Cunningham, Dawson, Dougherty, Hackelton, Hamlin, Harris, Harreld, Hampton, Hughes, Hunter, Lincoln, Link, Moore, McGahey, Murphy, Nunnally, Oliver, Outhouse, Owen, Rowan, Thompson, Vandevanter, Wren, Wyatt and Mr. Speaker—32.

Those voting in the negative, are,

Messrs. Anderson, Blackwell, Bowyer, Clark, Dubois, Elliott, Gordon, Henry, Hunt, Stuart, Thomas, Tunnel, Whiteside, and Webb.—14.

The said bill having past by a majority of all the members elected;

Ordered, That the Clerk carry the said bill, together with the objections of the Council of Revision to the Senate and ask their concurrence in the passage of said bill;

On motion of Mr. Dougherty,

The bill entitled,

“An act for the redemption and distribution of the school fund;” some days since laid upon the table, was taken up for consideration;

Mr. Moore moved to lay said bill upon the table;

On motion of Mr. Thomas,

Said bill was referred to a committee of the Whole House, and made the order of the day for to morrow.

The resolution from the Senate requesting our Senators and Representatives in Congress to use their influence to procure so much of the compact between the United States and this State, as prohibits the taxation of land for five years after the sale, to be rescinded;

Was read, considered and adopted.—Yeas 41; Nays 6.

The yeas and nays being called for by Messrs. Whiteside and Nunnally,

Those voting in the affirmative are,

Messrs. Able, Anderson, Blackwell, Blockburger, Bowyer, Brown, Butler, Carpenter of Sangamon, Clark, Cloud, Dawson, Dougherty, Dubois, Elliott, Gregory, Gordon, Hackelton, Ham-

lin, Harris, Harreld, Hampton, Henry, Hughes, Hunt, Hunter, Link, Moore, McGahey, Murphy, Oliver, Outhouse, Owen, Rowan, Stuart, Thomas, Tunnel, Vandevanter, Whiteside, Webb, Wyatt, and Mr. Speaker—41.

Those voting in the negative, are

Messrs. Carpenter of Hamilton, Cunningham, Lincoln, Nunnally, Thompson, and Wren—6.

Ordered, That the clerk inform the Senate thereof.

Mr. Dawson from the select committee to which was referred the bill entitled,

“An act to improve the navigation of the Sangamon river;”

Reported the same back to the House with an amendment, which was read and concurred in;

On motion of Mr. Thomas,

Referred to a select committee.

Ordered, That Messrs. Thomas, Hackelton, and Cunningham, be that committee.

Mr. Cloud from the select committee to which was referred the bill for

“An act to ascertain the county line between the counties of Morgan and Sangamon;”

Reported the same back with an amendment, which was read and concurred in; and

On motion of Mr. Stuart,

Referred to a select committee.

Ordered, That Messrs. Stuart, Cloud, and Harris, be that committee.

The bill from the Senate entitled,

“An act concerning the School Fund;”

Was read the first time, and

Ordered to a second reading.

On motion of Mr. Gregory,

The rule of the House was dispensed with, and the same was read a second time by its title; and

On the further motion of Mr. Gregory,

Referred to a select committee.

Ordered, That Messrs. Gregory, Lincoln, and Gordon, be that committee.

On motion of Mr. Gregory,

The bill some days since laid upon the table entitled,

“An act to provide for the distribution and application of the interest of the several school funds,” was taken up, and

On motion of Mr. Henry;

Referred to the same select committee to which was referred the bill from the Senate, entitled,

"An act concerning the School Fund;

On motion of Mr. Thomas,

The rule of the House was dispensed with, and the bill from the Senate entitled,

"An act regulating the terms of holding the Supreme and Circuit courts, and fixing the salary of the Circuit Judges,"

Was read the first time by its title.

On the further motion of Mr. Thomas,

The rule of the House was dispensed with, and said bill was now read the second time by its title,

On motion of Mr. Gregory,

Committed to a committee of the Whole House;

On motion of Mr. Rowan,

The House then resolved itself into a committee of the Whole House on said bill, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Gregory reported that the committee of the Whole House, had, according to order, had said bill under consideration, made some progress therein, and directed him to ask leave to sit again;

Which was granted.

And then the House adjourned.

SATURDAY, *January 31*, 1835.

House met pursuant to adjournment.

Mr. Cloud from the committee on enrolled bills reported as correctly enrolled, bills of the following titles, viz:

"An act declaring the Snicarty, a branch of the Mississippi, a navigable stream;"

"An act to authorize the county commissioners' courts of Randolph and Perry counties to refund certain taxes;"

"An act for the relief of Williard Twiss;"

"An act to incorporate Mount Carmel in Wabash county;"

"An act declaring Big Muddy a navigable stream;"

"An act to increase the number of election precincts in the counties of Morgan and Madison;"

"An act supplemental to an act to incorporate such persons

as may associate for the purpose of procuring and erecting public libraries in this State, approved January 31, 1823;'

"An act declaring what laws of a general nature, shall be published with the acts of a general nature of this session, approved, March 2nd, 1833;'

"An act changing an appropriation heretofore made to the county commissioners' court of Vermillion county, to the county commissioners' court of Campbidge county, and for other purposes;'

"An act for the benefit of the Sheriffs therein named;'

"An act changing parts of a state road, from the mouth of Ohio in Alexander county to Jonesboro' in Union county;'

"An act for the benefit of the town of Quincy in Adams county;'

"An act allowing appeals in certain cases;'

"An act for the benefit of Cook county;'

"An further defining the powers and duties of Trustees of incorporated towns;'

"An act to authorize Ezra Baker, jr. to erect a mill dam near Coffee Island on the Great Wabash river;'

"An act to organize the county of Mercer;'

They also report as correctly enrolled the "Preamble and resolutions relative to ancient settlers;'

Also the "Memorial to congress praying a remuneration for losses by Hezekiah West's father, during the Revolutionary War;'

Mr. Whiteside from the Committee on Finance to which was referred the bill for

"An act for the benefit of Franklin county,"

Reported the same back without amendment,

On motion of Mr. Bowyer,

Said bill was referred to a select committee.

Ordered, That Messrs. Bowyer, Webb, and Wren be that committee.

Mr. Whiteside from the same committee to which was referred the engrossed bill entitled,

"An act for the relief of the Sheriff of Union county;'

Reported the same without amendment, and recommended its passage.

The bill then passed.

Ordered, That the title of the bill be as aforesaid—that the clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Thomas from the select committee to which was referred the bill entitled;

"An act to improve the navigation of the Sangamon river;"

Reported the same back to the House without amendment.

Ordered to be engrossed and read a third time.

Mr. Gordon from the select committee to which was referred the bill entitled,

"An act to amend an act entitled an act, relative to the duties of the Attorney General of this State;"

Reported the same back to the House without amendment, and recommended a rejection of the said bill; and

On motion of Mr. Stuart,

Referred to a select committee.

Ordered, That Messrs. Stuart, Lincoln, and Harris be that committee.

Mr. Gregory from the select committee to which was referred the bill entitled,

"An act to provide for the distribution and application of the interest of the several school funds;"

Reported the same back to the House without amendment.

Ordered to be engrossed for a third reading.

Mr. Moore from the select committee to which was referred the bill entitled,

An act altering the state Road from Vincennes to St. Louis,"

Reported the same back to the House with an amendment, which was read and concurred in.

Ordered to be engrossed as amended and read a third time.

Mr. Blackwell from the select committee to which was referred the bill entitled,

"An act further to prevent gaming in this state,"

Reported the same back to the House without amendment, and recommended its rejection.

On motion of Mr. Manly,

Referred to a select committee.

Ordered, That Messrs. Manly, Carpenter of Hamilton, and Hunter, be that committee.

A message from the Senate by Mr. White their Secretary.

"Mr. SPEAKER—I am directed to inform the House of Representatives, that the Senate have concurred with them in the adoption of the resolution, relative to the removal of the obstructions to the navigation of the Illinois river;" as amended by them:—amended as follows, strike out the words "from its

mouth to the foot of the rapids;" in which amendment they ask the concurrence of the House of Representatives.

They have concurred with the House of Representatives in the adoption of the resolutions "instructing our Senators and requesting our Representatives in Congress to act in conjunction with the Delegates from Indiana, Ohio, and Missouri, to obtain the passage of law making a donation for the purpose of constructing a Rail Road from the Miami Bay on Lake Erie to the rapids of the Illinois river."

They have refused to read the second time the bill from the House of Representatives entitled,

"An act concerning the revenue of counties;"

They have confirmed the nomination made by the House of Representatives of Hugh Lamaster for County Surveyor of Fulton county;"

And then he withdrew.

Mr. Vandevanter from the select committee to which was referred the petition of Abijah Fuller, &c. made a report adverse to the prayer of said petition; and asked to be discharged from the further consideration of said petition.

The said committee were discharged from the further consideration of said petition.

Mr. Stuart from the select committee to which was referred the bill entitled,

"An act to ascertain the county line between the counties of Morgan and Sangamon;"

Reported the same back to the House without amendment.

Ordered to be engrossed for a third reading.

Mr. Dawson from the select committee to which was referred the bill entitled,

"An act to amend the Militia law of this state," and

"An act to amend an act entitled an act for the organization and government of the Militia of this state, in force from and after the 1st of July, 1833;" and proposed amendments to the latter bill, made a report:

That from the lateness of the session, and the defectiveness of the body of the Militia law, it is inexpedient to act upon this subject at this session, &c. and reported said bills back to the House with a proposed substitute, which was read and concurred in.

Mr. Dougherty moved to amend said bill by striking out the words, "except Adjutant General;"

Mr. Vandevanter moved to re-commit said bill and proposed amendment to a select committee.

Mr. Clark moved to lay said bill upon the table until the 4th day of July next.

The question being taken upon referring said bill to a select committee,

It was not agreed to.

The question was then taken upon laying said bill upon the table until the 4th day of July next.

It was decided in the affirmative.

Mr. Gregory from the select committee to which was referred the bill from the Senate entitled,

"An act concerning the School fund;"

Reported the same back to the House without amendment.

Ordered to a third reading.

Mr. Owen from the committee on the Judiciary to which was referred the bill from the Senate entitled,

"An act for the relief of the securities of Thomas Moore and others;"

Reported the same back to the House without amendment, and recommended its passage.

Ordered to a third reading.

Mr. Webb moved to take up the resolution having for its object the rescinding the joint resolution fixing the time of final adjournment, and the reception of new business, some days since laid upon the table for consideration,

Which was not agreed to.

Mr. Owen from the select committee to which was referred the bill entitled,

"An act for the relief of the heirs of Eli Pain, deceased,"

Reported the same back to the House with an amendment; which was read, and,

On motion of Mr. Thomas,

Referred to a select committee.

Ordered, That Messrs. Thomas, Moore, and Hughes, be that committee:

Mr. Rowan from the select committee to which was referred the bill from the Senate entitled,

"An act for the benefit of Peter Warren, John Storm, and Andrew Caldwell;"

Reported the same back to the House with an amendment; and

On motion of Mr. Stuart,

Said bill was laid upon the table.

Mr. Murphy from the select committee to which was referred a bill entitled,

"An act for the benefit of the infant heirs of Robert B. Murphy late of Perry county, deceased;"

Reported the same with an amendment, which was read and concurred in.

Ordered, That said bill be engrossed for a third reading.

Mr. Ross from the select committee to which was referred a petition praying for a certain thing therein named, reported a bill for

"An act to locate a state road from Jacksonville in Morgan county to Pittsfield in Pike county;"

Which was read the first time, and

Ordered to a second reading.

On motion of Mr. Ross,

The rule of the House was dispensed with, and the bill read a second time by its title; when

On motion of Mr. Gordon,

Said bill was referred to a select committee.

Ordered, That Messrs. Gordon, Ross, and Vandevanter, be that committee.

Mr. Cunningham from the select committee appointed to draw up a more perfect system of laws regulating the duties of Justices of the Peace and constables, reported, That they had learned that the committee on the Judiciary had the subject under consideration, and asked to be discharged from the further consideration of the subject.

On motion of Mr. Cunningham,

The report was laid upon the table.

Mr. Anderson from the select committee to which was referred the bill for

"An act to change part of the state road leading from Equality to Mount Vernon;"

Reported the same without amendment.

Ordered, That said bill be engrossed for a third reading.

Mr. Murphy moved to take up for consideration the bill some days since laid upon the table, entitled,

"An act to change the county line between Perry and Franklin counties;" and the amendment of the Senate thereto, which was agreed to.

The amendment of the Senate was then concurred in.

Ordered, That the clerk inform the Senate thereof.

The Speaker laid before the House the following communication in pursuance of a call of this House, which was read, to wit:

AUDITOR'S OFFICE, VANDALIA, }
January 30th, 1835. }

To the Hon., the Speaker of the House of Representatives.

SIR,—In compliance with a resolution calling on the Auditor for the whole amount of the School, College, and Seminary funds belonging to this State; and also the amount of interest due from this State on said funds. I herewith submit the following statement; viz:

| | |
|---|-------------|
| The whole amount of the School fund exclusive of the College fund belonging to the State, is | \$74,236 94 |
| The amount of interest on the same to the present time is, | 13,292 47 |
| The whole amount of College Fund belonging to this State is, | \$14,847 38 |
| The amount of interest on the same to the present time is, | 2,654,49 |
| Making the whole amount of the School and College funds including interest, | 104,431 28 |
| Of the foregoing sum, \$27,832, 20-100, is now in deposit in the Branch Bank of the United States at St. Louis. | |
| The amount of Seminary fund, belonging to this state is, | \$33,496 84 |
| The amount of interest on the same to this date is | 7,180 19 |
| Making the whole amount of Seminary Fund including interest, | 40,677,03 |

I am very respectfully,

JAMES T. B. STAPP,

Auditor of Public Accounts.

On motion of Mr. Webb,

Said communication was laid upon the table, and one thousand copies ordered to be printed.

Mr. Gordon from the select committee to which was referred the bill from the Senate entitled,

“An act relative to the town of Vandalia,”

Reported the same back to the House with an amendment, and

On motion of Mr. Henry,

Said bill and proposed amendment were re-committed to a select committee.

Ordered, That Messrs. Henry, Hunt, and Carpenter of Sangamon, be that committee.

Mr Vandevanter moved that the House adjourn until 2 o'clock, P. M. Which was not agreed to.

The bill from the Senate entitled,

"An act to incorporate the subscribers to the Bank of the State of Illinois;"

Was read the first time, and

Ordered to a second reading.

On motion of Mr. Wyatt,

The rule of the House was dispensed with, and said bill was now read a second time by its title.

Mr. Wyatt moved to refer said bill to a select committee.

Mr. Hughes moved to refer said bill to a committee of the Whole House, and make it the order of the day for Wednesday next.

The question being taken upon referring said bill to a select committee. It was agreed to.

Ordered, That Messrs. Wyatt, Frazer, and Dawson, be that committee.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

The amendments of the Senate to the resolution from the House relative to the navigation of the Illinois river, were read and concurred in.

Ordered that the clerk inform the Senate thereof.

Mr. Gordon moved that the bill entitled,

"An act to prevent unnecessary delay in the collection of debts;" some few days since laid upon the table, be now taken up for consideration;

Which was not agreed to.

Mr. Stuart from the select committee to which was referred the bill from the Senate entitled,

"An act for the construction of the Illinois and Michigan canal;"

Reported the same back to the House without amendment.

On the question, shall said bill be read the third time?

It was decided in the affirmative.—Yeas, 25, Nays, 21.

Mr. Webb and Mr. Hughes called for the yeas and nays on this question.

Those voting in the affirmative, are

Messrs. Blockburger, Brown, Butler, Carpenter of Sangamon, Cloud, Dawson, Elliott, Fithian, Gregory, Gordon, Hackelton, Hamlin, Harris, Henry, Hunt, Lincoln, Link, Owen, Ross, Stuart, Thomas, Tunnel, Vandevanter, Wyatt, and Mr. Speaker—25.

Those voting in the negative, are

Messrs. Able, Blackwell, Bowyer, Carpenter of Hamilton, Clark, Cunningham, Dougherty, Dubois, Frazer, Harreld, Hampton, Hughes, Hunter, Manly, Moore, McGahey, Murphy, Nunnally, Outhouse, Webb, and Wren —21

Mr. Rowan from the select committee to which was referred the bill entitled, "An act concerning Shawneetown;"

Reported back to the House a substitute,
Which was read and concurred in.

Ordered to be engrossed for a third reading.

Mr. Thomas from the select committee to which was referred the bill entitled,

"An act for the relief of the heirs of Eli Paine, deceased;"

Reported the same back to the House with an amendment, which was read and concurred in.

Ordered to be engrossed as amended for a third reading.

Mr. Murphy from the select committee to which was referred the Resolution relative to certain mail routes in this state, &c. reported the same back to the House with sundry amendments; which were read and concurred in.

The resolution as amended was then adopted.

Ordered, That the clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Cloud from the committee on Enrolled Bills, reported that he this day, laid before the Council of Revision, Bills of the following titles, viz:

"An act declaring the Snicarty, a branch of the Mississippi, a navigable stream;"

"An act to authorize the county commissioners' court of Randolph and Perry counties, to refund certain taxes;"

"An act for the relief of Williard Twiss;"

"An act to incorporate Mount Carmel in Wabash county."

"An act declaring Big Muddy a navigable stream."

"An act to increase the number of Election Precincts in the counties of Morgan and Madison."

"An act supplemental to an act, to incorporate such persons as may associate for the purpose of procuring and erecting Public Libraries in this state, approved, January 31, 1823."

"An act to amend an act declaring what laws of a general nature, shall be published with the acts of a general nature of this session, approved, March 2, 1833."

"An act changing an appropriation heretofore made to the county commissioners' court of Vermillion county to the county commissioners' court of Champaigne county, and for other purposes."

"An act for the benefit of the Sheriffs therein named."

"An act changing parts of a state road from the mouth of the Ohio in Alexander county, to Jonesboro' in Union county."

"An act for the benefit of the town of Quincy, in Adams county."

"An act allowing appeals in certain cases."

"An act for the relief of Cook county."

"An act further defining the powers and duties of Trustees of incorporated towns."

"An act to authorize Ezra Baker, jr., to erect a mill dam near Coffee Island on the Great Wabash river."

"An act to organize the county of Mercer."

The "Preamble and resolutions relative to ancient settlers," were this day laid before the Governor. Also, the

"Memorial to Congress praying a remuneration for losses by Hezekiah West's father, during the Revolutionary War."

A message from the council of Revision by Mr. Brown their Secretary.

MR. SPEAKER:—The council of Revision have approved bills of the following titles, viz:

"An act to amend an act regulating the mode of trying the right of property."

"An act to change a part of the state road from Vincennes to Chicago, as lies in Crawford county."

"An act to incorporate Mount Carmel in Wabash county."

"An act declaring Big Muddy a navigable stream."

"An act to increase the number of election precincts in the counties of Morgan and Madison."

"An act for the benefit of the Sheriffs therein named."

"An act to amend an act declaring what laws of a general

nature shall be published with the acts of a general nature of this session, approved, March 2, 1833."

"An act changing the appropriation heretofore made to the county commissioners' court of Vermilion county, to the county commissioners' court of Champaign county, and for other purposes."

"An act supplemental to an act to incorporate such persons as may associate for the purpose of procuring and erecting public libraries in this State, approved, January 31, 1823."

"An act to authorize Ezra Baker, jr., to erect a mill dam near Coffee Island on the Great Wabash river."

"An act changing part of a state road from the mouth of Ohio in Alexander county, to Jonesboro' in Union county."

"An act for the relief of Cook county."

"An act to organize the county of Mercer."

"An act for the relief of Williard Twiss."

"An act to authorize the county commissioners' courts of Randolph and Perry counties to refund certain taxes."

"An act declaring the Snicarty, a branch of the Mississippi, a navigable stream."

"An act allowing appeals in certain cases."

"An act for the benefit of the town of Quincy in Adams county." And

"An act further defining the powers and duties of incorporated towns."

And then he withdrew.

Mr. Cloud from the select committee to which was referred the bill for

"An act concerning the 16th section in Equality township, Gallatin county,"

Reported the same with an amendment, which was read.

Mr. Cloud moved to amend the report of the select committee by adding the following, viz:

Provided Further, That said land shall, when so selected, be offered at public sale after sufficient notice having been given of the time and place of sale, and all of said lands that remain unsold after having been offered at public sale, shall be subject to private entry as now provided by law." When,

On motion of Mr. Dougherty,

The bill, and report, and proposed amendment were referred to a select committee.

Ordered, That Messrs. Dougherty, Whiteside, and Hampton, be that committee.

Mr. Manly from the select committee to which was referred the bill entitled,

"An act requiring persons who petition the General Assembly to give certain notice before such petitions are finally acted upon;"

Reported a substitute for the original bill, which was read, when,

On motion of Mr. Cunningham,

Said bill and report were referred to a select committee.

Ordered, That Messrs. Cunningham, Hunt, and Lincoln, be that committee.

Mr. Anderson from the committee on Propositions and Grievances to which was referred the bill entitled,

"An act forming medical societies;"

Reported the same without amendment and recommended its rejection.

Mr. Gordon moved to lay the bill on the table until the 4th day of July next.

Mr. Thomas moved to re-commit the bill to a select committee;

Which was agreed to.

Ordered, That Messrs. Thomas, Trower, and Frazer, be that committee.

On motion of Mr. Wyatt,

The engrossed bill for "An act for the relief of the widow and heirs of Christopher Whitman;"

Was read the third time by its title and passed.

The engrossed bill for, "An act to amend the Practice act of 1827;"

Was read the third time and passed.

Ordered, That the titles of the two foregoing bills be as aforesaid, that the clerk carry the said bills to the Senate, and ask their concurrence therein,

The bill from the Senate entitled,

"An act providing for the security of the School Funds," as amended by the House was read the third time, when,

On motion of Mr. Wyatt,

Said bill was referred to a select committee.

Ordered, That Messrs. Wyatt, Tunnell, and Hunter, be that committee.

Mr. Wyatt moved that the House adjourn,

Which was decided in the negative.

The engrossed bill entitled, "An act to amend the act entitled

An act for the relief of the poor, approved, March 1, 1833," was read the third time, when

Mr. Dongherty moved to lay the bill on the table until the 4th day of July next.

The yeas and nays being called upon this motion by Messrs. Gordon and Rowan,

Those voting in the affirmative, are

Messrs. Clark, Dougherty, Harreld, Henry, Hunter, Nunnally, Oliver and Mr. Speaker—8.

Those voting in the negative, are

Messrs. Able, Anderson, Bowyer, Brown, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Cloud, Dawson, Dubois, Elliott, Ficklin, Fithian, Frazer, Gordon, Hamlin, Harris, Hampton, Hughes, Hunt, Moore, McGahey, Murphy, Outhouse, Owen, Rowan, Stuart, Thompson, Thomas, Tunnel, Vandevanter, Whiteside, Webb, Wren, and Wyatt—35.

So the House refused to lay the bill upon the table until the 4th day of July next.

Mr. Frazer moved to refer said bill to a select committee, Which was agreed to.

Ordered, That Messrs. Frazer, Fithian, and Ficklin, be that committee.

And then the House adjourned.

MONDAY, FEBRUARY 2, 1835.

House met pursuant to adjournment.

Mr. Thomas from the select committee, to which was referred the bill entitled,

"An act to incorporate the Alton Marine and Fire Insurance company;"

Reported back to the House a substitute, which was read and concurred in.

Ordered to be engrossed for a third reading.

On motion of Mr. Thomas,

The rule of the House was dispensed with, and said bill was now read the third time by its title and passed.

Ordered, That the title of the bill be as aforesaid, and that the clerk inform the Senate thereof.

Mr. Thomas from the select committee to which was referred the bill entitled,

"An act to amend a certain law therein named;"

Reported the same back to the House with sundry amendments; which were read and concurred in.

Ordered to be engrossed as amended, for a third reading.

Mr. Dunn from the select committee to which was referred the bill entitled,

"An act to repeal an act entitled, an act to regulate the interest on money, approved, 28th February, 1833."

Reported the same back to the House without amendment, and recommended its passage.

On the question, shall said bill be engrossed and read the third time?

It was decided in the negative.—Yeas, 19, Nays, 33.

The yeas and nays being called for by Messrs. Wyatt and Hughes.

Those voting in the affirmative, are

Messrs. Anderson, Blackwell, Bowyer, Brown, Cunningham, Dubois, Dunn, Elliott, Ficklin, Fithian, Gregory, Hamlin, Harfeld, Hunt, McGahey, Oliver, Rowan, Thomas, and Mr. Speaker—19.

Those voting in the negative, are

Messrs. Able, Blockburger, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cloud, Dawson, Dougherty, Frazer, Gordon, Hackelton, Harris, Hampton, Henry, Hughes, Hunter, Lincoln, Link, Moore, Nunnally, Outhouse, Owen, Ross, Stuart, Thompson, Trower, Tunnel, Vandevanter, White-side, Webb, Wren, and Wyatt—33.

So the House refused to order said bill to be engrossed for a third reading.

A message from the Senate by Mr. White their Secretary.

MR. SPEAKER.—I am directed to inform the House of Representatives that the Senate have concurred with them in the passage of Bills of the following titles, viz:

"An act to incorporate the Jacksonville and Meredocia Rail Road company;"

"An act to change a state road therein named;"

"An act for the benefit of the widow and heirs of Reuben Goddard, deceased;"

"An act to amend an act entitled an act to lay out a state road from Peoria to Chicago."

"An act regulating Schools in township 39 north, range 14 east."

"An act to provide for the enclosure of Salt Petre caves in this State."

"An act concerning marks and brands."

"An act declaring the road from Mount Vernon to New Nashville, a state road."

"An act to prevent trespassing on the canal lands of this State;"

"An act to incorporate the Carmi Bridge Company."

"An act to locate a state road from Shelbyville to the Great Wabash river, in Lawrence county opposite Vincennes in Indiana," and

"An act for the benefit of the persons therein named."

They have also concurred with them in the passage of bills of the following titles, viz:

"An act to change the corporate powers of the town of Chicago."

"An act to establish the county seat of Rock Island county."

"An act to provide for building a toll bridge across the Little Calimic."

"An act to authorize Aurelia Hotchkiss to sell, or exchange a certain tract of land," and

"An act to remove the seat justice of Adams county;" as severally amended by them—in which several amendments they ask the concurrence of the House of Representatives.

They do not concur with the House of Representatives, in their amendment to the amendment of the Senate to the bill from the House of Representatives entitled,

"An act to establish a state road from Crows in the county of Morgan by the way of Athens in Sangamon county to Musick's bridge on Salt creek;"

They have passed bills of the following titles, viz:

"An act for the altering of the Vincennes and Chicago state road;"

"An act concerning Public Records;"

"An act amending an act creating the county of Tazewell, and the several acts supplemental thereto."

"An act to locate a state road from Rushville to Monmouth," and

"An act concerning evidence;" in the passage of which they ask the concurrence of the House of Representatives.

And then he withdrew.

Mr. Gordon from the select committee to which was referred the bill entitled,

"An act to locate a state road from Jacksonville to Pittsfield in Pike county;"

Reported the same back to the House with sundry amendments which were read, and

On motion of Mr. Thomas,

Referred to a select committee.

Ordered, That Messrs. Thomas, Ross, and Owen, be that committee.

Mr. Frazer from the select committee to which was referred the engrossed bill entitled,

"An act to amend an act entitled an act for the relief of the poor, approved, March 1, 1833;"

Reported the same back to the House with sundry amendments; which were read and concurred in.

The bill then passed.

Ordered, That the title of the bill be as aforesaid,—that the clerk inform the Senate thereof, and ask their concurrence therein.

On motion of Mr. Dougherty,

The rule of the House was dispensed with, and the bill entitled,

"An act making the town of Lower Alton a district for the election of two Justices of the Peace and two Constables;"

Was read the third time by its title and passed.

Mr. Gregory moved to amend the title of said bill by adding the words, "and also for the election of one Justice of the Peace and one Constable at White Hall in Greene county;"

Which was agreed to.

Ordered, That the title of the bill be as aforesaid, and that the clerk inform the Senate thereof, and ask their concurrence therein.

The bill entitled, "An act giving Justices of the Peace jurisdiction in cases of Detinue and Replevin,"

Was read the third time.

Mr. Rowan moved to amend said bill by striking out the word "fifty" and insert the word "twenty,"

Which was not agreed to.

The question being put, Shall said bill now pass?

It was decided in the affirmative,—Yeas, 31, Nays, 17.

Messrs. Rowan and Dubois called for the yeas and nays.

Those voting in the affirmative are,

Messrs. Able, Bowyer, Brown, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cloud, Cunningham, Dougherty, Ficklin, Frazer, Gordon, Harris, Harreld, Hampton, Hunt, Hunter, Link, Moore, McGahey, Murphy, Nunnally, Oliver, Outhouse, Ross, Thompson, Tunnel, Vandevanter, Whiteside, Wyatt, and Mr. Speaker—31.

Those voting in the negative, are

Messrs. Anderson, Blackwell, Butler, Dubois, Dunn, Elliott, Fithian, Gregory, Hackelton, Hamlin, Henry, Lincoln, Ower, Rowan, Thomas, Webb, and Wren—17.

So the bill passed.

Ordered, That the title of the bill be as aforesaid, that the clerk inform the Senate thereof, and ask their concurrence therein.

The engrossed bill entitled,

"An act to amend an act to incorporate the Wabash navigation company, approved, January 13, 1825;" was read the third time, and passed.

Ordered, That the title of the bill be as aforesaid, that the clerk inform the Senate thereof, and ask their concurrence therein.

The engrossed bill entitled,

"An act relative to a state road therein named," was read the third time and passed.

Ordered, That the title of the bill be as aforesaid, that the clerk inform the Senate thereof, and ask their concurrence therein.

On motion of Mr. Hamlin,

The rule of the House was dispensed with, and the engrossed bill entitled,

"An act to incorporate the Peoria Bridge Company;" was read the third time by its title and passed.

Ordered, That the title of the bill be as aforesaid, that the clerk inform the Senate thereof, and ask their concurrence therein.

The bills from the Senate entitled,

"An act concerning the sale of certain school lands situated in the county of Tazewell;" and

"An act for the benefit of Robert Ritchey;" were severally read the third time and passed.

Ordered, That the clerk inform the Senate thereof.

The bill from the Senate entitled,

"An act concerning the School fund;" was read the third time.

Mr. Thomas moved to lay said bill upon the table until the 15th day of July next;

Which was not agreed to.

Mr. Carpenter of Hamilton, moved to strike out all after the word "state" in the ninth line; which was not agreed to.

Mr. Cloud moved to amend the bill by adding the following viz:

"*Provided*, That if any law shall be passed at the present session of the General Assembly, to distribute the interest or principal of said fund, the Treasurer shall on the warrant of the Auditor, pay over to the said School Commissioners, the amount so loaned to the State; out of any money in the Treasury not otherwise appropriated, to be distributed according to law." Which was agreed to.

Mr. Rowan moved to re-consider the vote taken upon striking out all after the word "state" in the 9th line.

Mr. Thomas moved that the House adjourn until 2 o'clock, P. M. Which was not agreed to.

Mr. Rowan withdrew his motion to re-consider.

Mr. Lincoln moved the previous question.

On the question, shall the main question be now put?

It was decided in the affirmative.

The main question being then put, shall said bill as amended now pass?

It was decided in the negative.—Yeas, 23, Nays, 30.

The yeas and nays being called for by Messrs. Thomas, and Hampton.

Those voting in the affirmative, are,

Messrs. Blackwell, Brown, Cloud, Dubois, Dunn, Gregory, Gordon, Hackelton, Hamlin, Harris, Henry, Hunt, Hunter, Link, Moore, Manly, McGahey, Tunnel, Vandevanter, White-side, Webb, Wyatt and Mr. Speaker—23.

Those voting in the negative, are,

Messrs. Able, Anderson, Blockburger, Bowyer, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cunningham, Dougherty, Elliott, Ficklin, Fithian, Frazer, Harreld, Hampton, Hughes, Lincoln, Murphy, Nunnally, Oliver, Out-house, Owen, Ross, Rowan, Stuart, Thompson, Thomas, Trower, and Wren.—30.

Ordered, That the clerk inform the Senate thereof.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

The bill from the Senate entitled "An act concerning Religious Societies;" was read the third time;

Mr. Wyatt moved to lay said bill upon the table until the 4th day of July next.

Which was decided in the negative—Yeas, 15, Nays, 33.

Messrs. Webb and Nunnally called for the yeas and nays upon this motion.

Those voting in the affirmative, are

Messrs. Anderson, Carpenter of Hamilton, Dougherty, Frazer, Hunter, Nunnally, Oliver, Outhouse, Owen, Trower, Tunnel, Vandevanter, Wren, Wyatt and Mr. Speaker—15.

Those voting in the negative, are

Messrs. Able, Blackwell, Blockburger, Bowyer, Butler, Carpenter of Sangamon, Clark, Cloud, Dawson, Dubois, Elliott, Ficklin, Fithian, Gregory, Gordon, Hackelton, Hamlin, Harris, Harreld, Hampton, Henry, Hunt, Lincoln, Manly, McGahey, Murphy, Ross, Rowan, Stuart, Thomas, Thompson, Whiteside, and Webb—33.

So the House refused to lay the bill upon the table until the 4th day of July next.

On the question, shall said bill now pass?

It was decided in the affirmative.—Yeas, 35, Nays, 15.

Messrs. Dougherty and Nunnally, called the yeas and nays.

Those voting in the affirmative, are

Messrs. Able, Blackwell, Blockburger, Bowyer, Butler, Carpenter of Sangamon, Clark, Cloud, Dawson, Dubois, Dunn, Elliott, Ficklin, Fithian, Gregory, Gordon, Hackelton, Hamlin, Harreld, Hampton, Henry, Hunt, Lincoln, Manly, McGahey, Murphy, Ross, Rowan, Stuart, Thomas, Thompson, Trower, Whiteside, and Webb.—35.

Those voting in the negative, are

Messrs. Anderson, Carpenter of Hamilton, Cunningham, Dougherty, Frazer, Hunter, Nunnally, Oliver, Outhouse, Owen, Tunnel, Vandevanter, Wren, Wyatt, and Mr. Speaker—15.

So the bill passed.

Ordered that the clerk inform the Senate thereof.

The engrossed bill entitled, "An act for the incorporation of Fire companies was read the third time;

Mr. Gordon moved to strike out the 4th section of said bill;

Which was not agreed to.

The bill then passed.

Ordered, That the title of said bill be as aforesaid—that the clerk inform the Senate thereof, and ask their concurrence therein.

The bills entitled,

“An act to authorize the county commissioners of Edgar county to establish and re-locate a certain state road therein mentioned.”

“An act to amend an act to incorporate the St. Clair Turnpike Road Company, approved, February 15th, 1833.”

“An act to provide compensation for Grand and Petit Jurors.”

“An act to lay out a state road from Greenville in Bond county to Carlinville in Macoupin county.” And

“An act to ascertain the county line between the counties of Morgan and Sangamon;” were severally read the third time and passed.

Ordered, That the titles of the bills be as aforesaid, that the clerk inform the Senate thereof, and ask their concurrence therein.

The bills from the Senate entitled,

“An act to amend an act entitled an act to amend an act entitled an act to provide for the election of Justices of the Peace and Constables; approved, January 7, 1835;” and

“An act for the relief of the securities of Thomas Moore and others;” were severally read the third time and passed;”

Ordered, That the Clerk inform the Senate thereof.

The bill from the Senate entitled,

“An act to revive and continue in force, an act authorising a review of part of the Chicago and Vincennes road,” as amended was read the third time and passed.

Ordered, That the title of the bill be as aforesaid, that the clerk inform the Senate thereof, and ask their concurrence to their amendment therein.

The bill from the Senate entitled, “An act for the construction of the Illinois and Michigan canal;”

Was read the third time, when,

On motion of Mr. Stuart,

The first section of the bill was amended by striking out the words; “On the credit of the State,” and insert the words, “on the credit of the Canal fund, as hereinafter provided;”

Mr. Blockburger moved to amend the 7th section of the bill by striking out all after the word ‘same,’ which is as follows, viz:

"And the faith of the state is hereby irrevocably pledged to establish sufficient revenues for making up any deficiency that may hereafter take place in the funds hereby pledged for the payment of said loan and interest; *Provided*, that no direct taxes shall be laid upon the people of Illinois for the payment of said loan or interest, for the next twenty-five years."

Mr. Dougherty moved that the House adjourn, which was not agreed to.

After debate had on the proposed amendment, Mr. Dubois moved that the House adjourn to 7 o'clock P. M., which was decided in the negative.

Mr. Blackwell moved that the House adjourn, which was not agreed to.

After further debate on the proposed amendment the House adjourned.

TUESDAY, February 3, 1835.

House met pursuant to adjournment.

Mr. Thomas from the select committee to which was referred the bill entitled,

"An act to locate a state road from Jacksonville in Morgan county to Pittsfield in Pike county;" together with the proposed amendments of select committees, &c.,

Reported the same back to the House without amendment, and recommended a non-concurrence with the select committee in their proposed amendments.

On the question, Will the House concur in the report of the select committee in their proposed amendments to the bill?

It was decided in the negative.

On the question, shall the bill be engrossed for a third reading?

It was decided in the negative.

Mr. Oliver from the select committee to which was referred the petition of sundry citizens of Johnson county, praying the legislature to memorialize Congress to make a donation of land to improve the navigation of Cache river in Johnson and Alexander counties, &c. reported a resolution which was read and is as follows, viz:

"Resolved By the General Assembly of the State of Illinois, That our Senators in Congress be instructed, and our Representatives be requested to use their exertions to procure a donation of land on Cache river, in Johnson and Alexander counties, by the General Government, to the value of two thousand five hundred dollars, to improve the navigation of said river."

Which was considered and adopted.

Ordered, That the clerk inform the Senate thereof and ask their concurrence therein.

Mr. Link from the select committee to which was referred the bill from the Senate entitled,

"An act to amend an act appropriating a portion of the avails arising from the sale of the Saline lands in Gallatin county to internal improvements, approved, February 16, 1831;"

Reported the same back to the House with an amendment, which was read and concurred in.

Ordered to a third reading as amended.

On motion of Mr. Clark,

The rule of the House was dispensed with, and said bill was now read the third time by its title, and

On the further motion of Mr. Clark,

Referred to a select committee of five.

Ordered, That Messrs. Clark, Hunt, Tunnel, Thomas, and Elliott, be that committee.

The question upon the proposed amendment to the bill from the Senate entitled;

"An act for the construction of the Illinois and Michigan canal;" pending at the adjournment of the House on yesterday evening, coming up for consideration,

Mr. Wyatt moved to refer said bill and proposed amendment to a select committee,

Which was agreed to.

Ordered, That Messrs. Wyatt, Hackelton, and Hamlin, be that committee.

On motion of Mr. Stuart,

The bill from the Senate entitled,

"An act for the benefit of Peter Warren, John Storm, and Andrew Caldwell," some days since laid upon the table, was taken up for consideration.

The amendment proposed by the select committee thereto, was read and concurred in.

Mr. Trower moved to amend said bill by adding at the end of the first section after the word 'dollars,' the following, viz:

"The said appropriation shall be received as Cash, and in lieu of the purchase money therefor," and amend the second section, by striking out the words "selected and located," and insert "entered and purchased," which was agreed to.

Ordered to a third reading as amended.

A message from the Senate by Mr. White their Secretary.

Mr. SPEAKER.—I am directed to inform the House of Representatives, that the Senate have concurred with them in the passage of bills of the following titles, viz:

"An act for the relief of the widow and heirs of Christopher Whitman."

"An act to repeal so much of the law as grants pre-emption rights to settlers on Seminary lands."

"An act to change part of the State Road from Springfield to Alton;" and

"An act to authorize the sale of certain School lands therein named."

They have also concurred with them in the passage of bills of the following titles, viz:

"An act relative to Bank debtors;" and

"An act to locate a State Road from Shelbyville to Chicago," as severally amended by them, in which amendments they ask the concurrence of the House of Representatives.

They have passed bills of the following titles, viz:

"An act to provide for the distribution and application of the interest on the School, College, and Seminary funds."

"An act appointing commissioners to review so much of the state road leading from the county seat of Peoria to the state line of Indiana, as lies in the county of Tazewell."

"An act for the benefit of the heirs of Samuel Thurston, deceased."

"An act to make an appropriation for building a bridge across Hickory creek on the state road leading from Vandalia to Salem."

"An act to authorize Ransom Higgins to build a toll bridge across Bonpas creek in Edwards county."

"An act to incorporate the colleges therein named."

"An act in addition to an act supplemental to an act entitled an act to provide for raising a revenue."

"An act to lay out a state road therein mentioned;" and

"An act for the relief of Thomas Redmond;" in the passage of which they ask the concurrence of the House of Representatives. And then he withdrew.

On motion of Mr. Rowan,

The bill from the Senate entitled,

"An act to extend for a limited time the charter of the Bank of Illinois, at Shawneetown;" some days since laid upon the table, was taken up; and placed among the orders of the day.

On motion of Mr. Murphy,

The House now resolved itself into a committee of the Whole House, to take into consideration the bill entitled,

"An act for the redemption and distribution of the School Fund;"

Mr. Webb in the chair, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Webb reported,

That the Committee of the Whole had, according to order, had said bill under consideration, had made some progress therein, and directed him to ask leave to sit again on said bill.

On the question, shall leave be given?

It was decided in the affirmative.

Message from the Governor by Mr. Bradley.

MR. SPEAKER.—I am directed by the Governor to lay before the House a written communication.

And then he withdrew.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

Mr. Cloud from the committee on Enrolled Bills, reported as correctly enrolled, a bill for

"An act to incorporate the Jacksonville and Meredocia Railroad Company."

The communication this day received from the Governor, was read, and is as follows, to wit:

EXECUTIVE DEPARTMENT,

VANDALIA, FEBRUARY 2, 1855.

To the Hon. the Speaker of the House of Representatives.

SIR.—In compliance with a resolution of the House of Representatives of the 30th of January last, calling upon this Department for certain information relative to a decision of the

Supreme Court of this state declaring the 'Act' concerning the payment of Money out of the State Treasury unconstitutional and void, whether the said court gave any opinion in writing, agreeable to the 9th section of the act regulating the Supreme and Circuit Courts, &c. I have the honor herewith to enclose certain documents furnished this Department from the Auditor of Public Accounts and Clerk of the Supreme Court, which contains all the information to be found in the Public Offices. The Supreme Court being a co-ordinate branch of the government, I do not feel authorised to call on them for the reasons which govern their decisions.

I have the honor to be sir,

Your obedient servant,

JOSEPH DUNCAN.

AUDITOR'S OFFICE, VANDALIA, 2nd February, 1835.
His Excellency, JOSEPH DUNCAN,

SIR:—In reply to your call for information in relation to a decision of the Supreme Court declaring the "Act concerning the payment of money out of the State Treasury," unconstitutional and void; I herewith enclose a copy of a writ of Peremptory Mandamus, directed to the Auditor of Public Accounts, requiring him to issue his warrant in favor of Theophilus W. Smith, one of the Justices of the Supreme Court, for the sum of five hundred and ninety-one dollars. The amount drawn by the said Theophilus W. Smith since the 30th of September, 1833, is \$1250.

The foregoing is all the information which this office affords in relation to this subject. All of which is respectfully submitted.

JAMES T. B. STAPP, *Auditor*.

The People of the State of Illinois,

To James T. B. Stapp, Auditor of Public Accounts.

These are to command you, that you forthwith and without delay, cause to be issued to Theophilus W. Smith, one of the Justices of the Supreme Court of the State of Illinois, a warrant on the State Treasurer of the State of Illinois, for the sum of Five hundred and ninety-one dollars, due to the said Smith for his salary on the 30th day of September last past, and this you are in no wise to omit at your peril.

WITNESS, the Hon. WM. WILSON, Chief Justice of the Supreme Court of the State of Illinois, and the Seal of said court at Vandalia, this 17th day of December, 1833.

JAMES M. DUNCAN, *Clerk Supreme Court*.

[Copy of the endorsement on the back of this writ.]

Served the within Mandamus on the Auditor of Public Accounts by reading the same to him, 17th December, 1833.

C. B. BERRY,

Sheriff of Fayette county.

CLERK'S OFFICE OF THE SUPREME COURT, }
February 2nd, 1835. }

SIR.—In reply to your note of the 31st ult., enclosing a copy of the resolution of a House of Representatives, calling for information relative to a decision of the Supreme Court of this State, declaring the act concerning the payment of money out of the State Treasury unconstitutional and void—whether the Court gave any opinion in writing, agreeably to the 9th section of the act “regulating the Supreme and Circuit courts,” &c. I state that the Records of this office, do not show any cause in which the Court have declared the law above alluded, to be “unconstitutional and void.” The only case which has come before the Court under that law, is the case of “The people on the relation of Theophilus W. Smith, against the Auditor,” &c. on a motion for a *Mandamus*. This case not being “an appeal or writ of error,” was decided as all other motions before the Court usually are, *verbally*. The petition, the replication and the proceedings had thereon in this court in that case are herewith transmitted, and contain all the information in this office embraced in the above resolution.

J. M. DUNCAN, *Clerk S. C. Ill.*

His Excellency, J. DUNCAN, *Gov. Ill.*

STATE OF ILLINOIS,

Supreme Court, December Term, 1833.

Be it remembered that, on the 14th day of December, in the said term of said Court, the Hon. WILLIAM WILSON, Chief Justice, Hon. S. D. LOCKWOOD, and Hon. THOS C. BROWNE, Associate Justices, being there present. Theophilus W. Smith by his attorney filed the following affidavit, to wit:

In the matter of the People on the
relation of Theophilus W. Smith }

vs.

James T. B. Stapp, Auditor of the
State of Illinois. }

County of Fayette.

Theophilus W. Smith, being duly sworn, deposeth and saith,
That he was duly appointed and commissioned an associate jus-

tice of the Supreme Court of the State of Illinois, in the year one thousand eight hundred and twenty-five, and has, thence forward continued in commission and performed the duties enjoined by law on him as such associate justice, and that by the laws of said state, he is entitled to receive one thousand dollars per annum, payable quarter yearly out of the Treasury of said state, to wit on the 30th days of March, June, September, and December of each year. That there is now legally and justly due to this deponent the sum of five hundred and ninety-one dollars on account of such salary, from the said State and its Treasury. That he has applied to the Auditor of said State since the said sum of money has become due and payable to him, to issue a warrant for a corresponding amount in his favor, on the said Treasurer of this State, which this deponent alleges is, by law made the duty of such Auditor; but which the said Auditor refuses to do on the ground that this deponent is indebted to the State Bank of Illinois, created by the act of 1821, and that therefore he is required to withhold such warrant. And this deponent further says, that he is not justly indebted to the said Bank, nor to the said State, but that he has just claims for services rendered said Bank and the State long since due to him, which, on a full, fair, and equitable adjustment would bring the Bank and the State in debt to him a considerable amount, beyond such sum due to him for salary, and which he believes he can establish by undoubted evidence.

(Signed)

THEOPHILUS W. SMITH.

Sworn to in open Court, this 14th day of December, 1883.

JAMES M. DUNCAN, *Clerk*.

And thereupon, on the same day the following order was entered upon the records of said Court, to wit:

The People on the relation of

Theophilus W. Smith,

vs.

The Auditor, &c.

This day came the said plaintiffs by Field their attorney, and on filing the affidavit of the relator herein, move the court to award a writ of Mandamus against the Auditor of Public Accounts of the State of Illinois, commanding him to issue his warrant on the Treasurer, in favor of said Smith, the relator, for the amount due him for salary as associate justice of the Supreme Court, on the 30th day of September last past. And

the said Auditor appearing in Court and consenting to such rule; It is hereby ordered that a rule be entered requiring him, the said Auditor, to show cause on Monday next, why a Mandamus should not issue in compliance with the motion aforesaid.

Afterwards, to wit: on the 16th day of said December, in said term, the said Auditor appeared in Court to show cause, and filed the following answer, to wit:

| | |
|---|---|
| James T. B. Stapp, Auditor of Public Accounts of the State of Illinois, <i>ads.</i> | } |
| The People on the relation of Theophilus W. Smith. | |

The Auditor of Public Accounts of the State of Illinois, acknowledges the service of a rule of the Hon. Court, requiring him to shew cause why a Mandamus should not issue, to compel him to issue a warrant on the State Treasury, for the salary of the said Theophilus W. Smith, as one of the Justices of the Supreme Court of said State.

In answer to said rule the said Auditor now begs leave to show cause.

By an act of the Legislature of the State of Illinois entitled, "An act concerning the payment of money out of the State Treasury," approved, February 12, 1833, it is provided among other things, "That no money shall hereafter be paid out of the State Treasury to any officer of this State towards his salary, or to any individual who is now, or shall hereafter be indebted to the State, to the State Bank of Illinois, or any of its branches, until such officer or individual shall have accounted for, and paid into the Treasury, or the State Bank of Illinois, or any of its branches, as the case may be, all sums for which he may be liable."

It is further provided in the said act, that the Treasurer, Circuit Attorneys, and Attorney General, of the several judicial circuits of this State, are hereby required on or before the first day of March, (then) next, and at the end of every three months thereafter, to transmit to the Auditor of Public Accounts, a list of all persons who are, or may be defaulters to the State Bank or any of its branches, the amount due from each of such defaulters, and the Auditor and Treasurer shall ascertain from such list, the names of all officers and individuals who are entitled to any money out of the Treasury, and detain from all

such persons as may appear to be defaulters as aforesaid, the amount which may appear to be due to the State, the State Bank of Illinois, or either of its Branches, until such defaulter shall pay, or otherwise discharge such debt.”

In pursuance of the provisions of the above recited act, Alfred Cowles, Esq., then acting as circuit attorney, for the second judicial circuit, did, on the 20th day of February, 1833, make a report to the Auditor of certain Bank Defaulters, from which it was ascertained by the Auditor and Treasurer, that the Relator in this matter, was a defaulter to the State Bank of Illinois, in the sum of \$2341, 54-100, which report is made part of this answer, (marked A.) The Auditor considered it to be his duty on said report, to withhold the salary of the said Theophilus W. Smith, until the said debt was paid, or otherwise discharged.

The Auditor for further answer saith, that on the 23d day of July, 1833, the said Theophilus W. Smith, settled and paid a debt of \$150, with interest up to the time of payment, amounting to the sum of \$9, which sum amounting to \$159, has been paid into the State Treasury in discharge of said debt, leaving according to the report of Mr. Cowles, the sum of \$2182, 54-100, still due the State Bank, and the Auditor has not received any information, that said balance or any part thereof, has been paid or otherwise discharged by the said relator.

The Auditor of Public Accounts, therefore, for the reason aforesaid, has heretofore refused and still refuses to issue a warrant for the salary of the said Theophilus W. Smith, until it shall be made to appear that he has paid or otherwise discharged the said debt so due to the State Bank of Illinois.

And the Auditor having, as he advised, shown sufficient cause why a Mandamus should not be awarded in this behalf, prays to be discharged from said rule of this honorable Court.

(Signed)

JAMES T. B. STAPP,

Auditor Public Accounts.

Afterwards on the same day, the said relator, filed his demurrer to the said answer, which is in the words following, to wit:

The People of the State of Illinois, on the relation
of Theophilus W. Smith,

vs.

James T. B. Stapp, Auditor of Public Accounts
of the State of Illinois.

And the said People on the relation aforesaid, to the return of the said James T. B. Stapp, Auditor as aforesaid, by way of replication to the said answer of the said James T. B. Stapp; Auditor as aforesaid, protesting and not admitting that the said relator is indebted, as in and by said answer is alleged, comes and says to so much of the said matters and things in the said answer set forth, as justifies the withholding of said salary, under and by virtue of the act of Feb. 12, 1833, therein referred, that the same are not sufficient in law, to justify the said Stapp, Auditor as aforesaid, for refusing to issue a warrant on the Treasury of the State for the sum of five hundred and ninety-one dollars, due to the relator for salary, as is alleged in and the proceedings on file in this court, nor should said complainant by reason thereof be barred or be precluded from having the mandamus herein before prayed; and that by the law of the land and constitution of this State, and of the United States, he the said Auditor, was and is bound to issue the said warrant; and for particular causes of demurrer, why the said answer is insufficient, they set down and assign to the Court, the following.

First, That it is provided in and by the fifth section of the 4th article of the constitution of this State, that the justices of the Supreme Court, who may be appointed after the first session of the General Assembly, began and held after the first day of January, in the year of our Lord, 1824, shall have adequate and competent salaries, which shall not be diminished during their continuance in office. And therefore, they say that the said act of the General Assembly of the State of Illinois, approved, February 12th, 1833, and named by the said Auditor, in his said answer, and under which he justifies the retention of salary, as aforesaid, is in violation of said article of the constitution of said State, which is the paramount law of the land, and the said act of the said General Assembly is, therefore, null and void.

2d. And for further cause they set down and shew to the Court the following, That the said act of the said General Assembly is repugnant to and in direct violation of an act of the said General Assembly, approved, February 19, 1827, entitled, an act regulating the salaries, fees, and compensation of the several officers and persons therein mentioned, in and by which it is provided, that the said relator shall be paid on the warrant of the Auditor, quarter yearly, out of any moneys in the Treasury not otherwise appropriated, his yearly salary, which he al-

leges is by law, the sum of one thousand dollars, and which said last mentioned act stands in full force and unrepealed.

3d. And for further cause, they set down and show to the Court here, the following: That by an act entitled an act, to consolidate the acts, relative to the Auditor and Treasurer, and election of Attorney General, which act took effect from and after, the 1st day of July 1833, and was approved on the 2d of March, of the same year, in and by the 3th Sec. of the said act, it is provided, that "on ascertaining the amount due any person from the Treasury, the Auditor shall grant his warrant on the Treasury, for the sum due," which act, they allege, has virtually and in effect, repealed the act of the 12th February 1833, under which the Auditor refuses to issue the warrant aforesaid.

4th. And for further cause of demurer, they set down and show to the Court here, the following: That the said act of the General Assembly, under which the said Auditor justifies as aforesaid, is repugnant to, and in violation of the 10th Section of the 1st Article of the constitution of the United States, which provides that no State shall pass any Law impairing the obligation of contract; as also of the 16th Section of the 8th Article of the constitution of this State, which provides no *expost facto* Law, nor any Law impairing the validity of contracts, shall be made.

5th. And for further cause, they set down and show to the Court the following: That the said act of the 12th February 1833, is in violation of the 8th Section of the 8th Article of the constitution of this State, which declares that no freeman shall be deprived of his life, liberty or property, but by the judgment of his peers or the law of the land, and of a similar provision of the 5th Article of the amendments of the constitution of the United States, which declares that no person shall be deprived of life, liberty or property, without due process of Law, and which said act is arbitrary and unjust, and against Law, and against the spirit of the constitution of this State, and of the United States, because it erects an irresponsible tribunal, to determine upon the rights and indebtedness, of individuals upon contracts, contrary to, and in violation of the common law, which the constitution adopts, as the rule of decision in such cases; and is moreover, in violation of the 7th Article of the amendments to the constitution of the United States, which provides that when the value in controversy between the parties, shall exceed \$20, the right of trial by jury,

shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

6th. And for further cause, they set down and show to the Court here, the following: That the said act of the 12th February 1833, is in aid of an act of the said General Assembly, establishing the State Bank of Illinois, passed in 1821.

SEC. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That a bank, to be entitled "The State Bank of Illinois," shall be established at Vandalia; the seat of government of said State, the capital stock of which shall not exceed five hundred thousand dollars, to be owned by the State, and to be managed and superintended in the manner hereinafter pointed out.

SEC. 2. *Be it further enacted,* That the said institution is hereby created and made a body corporate and politic, to be known and distinguished by the name and style of "The President and Directors of the State Bank of Illinois," and shall so continue for and during the space of ten years from and after the passage of this act; and by that name shall be and hereby are made able and capable in law to purchase, receive, hold, possess, and enjoy, for the use of the state, lands, rents, tenements, and hereditaments, goods, chattels, and effects of what kind, nature, or quality soever, to an amount not exceeding double the amount of capital stock, with the interest from time to time, accruing thereon, and the same to sell, grant, demise, alien, dispose of, and convey, under the control, and by the authority of the General Assembly; to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended in all Courts.

SEC. 3. *Be it further enacted,* That the said corporation shall make, have, and use a common seal of such device as the president and directors shall adopt, and the same to alter at their pleasure; and also to ordain, establish, and put in execution such by-laws, ordinances, and regulations, as shall be necessary and convenient for the government of the said bank, not being contrary to the laws and constitution of this state; for which purpose there shall be meetings of the president and directors at stated times and on such extraordinary occasions as the business of the institution may require—and generally to do and perform all and singular matters, acts, and things, which to them it shall or may appertain to do; subject, nevertheless, to the rules, regulations, and restrictions hereinafter prescribed

and declared; being at all times amenable and subject to the instructions and control of the General Assembly.

SEC. 4. *Be it further enacted*, That there shall be established, for the convenience of the inhabitants of this state, four branches of the aforesaid institution, to be respectively located within the following districts, to wit: at Edwardsville, in Madison county, in the first district, to be composed of the counties of Pike, Sangamon, Greene, Madison, St. Clair, and Monroe; at Brownsville, in Jackson county, in the second district, to be composed of the counties of Randolph, Jackson, Union, Alexander, and Johnson; at Shawaneetown, in Gallatin county, in the third district, to be composed of the counties of Pope, Franklin, and Gallatin; at the seat of justice for Edwards county, in the fourth district, to be composed of the counties of Clark, Crawford, Lawrence, Edwards, Wayne, and White; the fifth district to be composed of the counties of Jefferson, Bond, and Washington, in which the principal bank is located; and such new counties as shall be formed out of the present limits of each district shall be considered within each district respectively; which locations so made shall be and remain irremovable during the continuance of said institution—and which number of branches shall not hereafter be increased: to be managed in the same manner and under the same regulations and restrictions as are imposed on the principal bank, the directors whereof to be elected at the same time, and in the same manner (except as may be hereinafter excepted) invested with similar powers, and subject to the same rules and restrictions.

SEC. 5. *Be it further enacted*, That for the well ordering the affairs of the principal bank and its branches, there shall be elected by joint ballot of the senate and house of representatives, at the present session, and ever after biennially, a president and six directors for the principal bank, and five directors for each of the branches; but in the choice of directors of said branches, at least one director shall be chosen from each of the counties composing the respective districts as is herein designated. *Provided*, That the number of counties in the district does not exceed the number of directors to which each branch is entitled; in such cases, the oldest counties shall be entitled to the preference. And the president of each of the said branches shall be chosen by a majority of the directors composing each branch, out of their own body. And the said president and directors first chosen under this act, shall serve until the first Monday of January, one thousand eight hundred and twen-

ty-three, and until their successors shall be duly elected and qualified: and such election of president of the said branches shall be made within thirty days after the appointment of the directors of the aforesaid branches, at the respective places in which each branch is located; and if any vacancy should happen in either of the said directories, by death, refusal to act, disqualification, or otherwise, during the recess of the Legislature, the president and directors of the said principal bank or branch in which such vacancy shall happen, shall proceed, at their next stated meeting of the board after such vacancy shall occur, to appoint a day for the election of a person to fill such vacancy, and shall, on said day, a majority of the directors being present, proceed to the election of a new director out of the same county of the former one, who shall continue in office until the expiration of the term of service of those by whom he shall have been so elected.

SEC. 6. *Be it further enacted,* That the president and directors of the principal bank and each of its branches shall respectively have power to appoint a cashier and such other officers under them respectively, as shall be necessary for conducting the business of their respective institutions, who shall hold their offices during good behavior, and the pleasure of a majority of the directors of each institution; and the several cashiers, before they enter upon the duties of their respective offices, shall be required to give bond and security to the satisfaction of the president and directors of the institution to which he may belong, in a sum not less, for the cashier of the principal bank, than fifty thousand dollars, and for the cashier of the respective branches, than thirty thousand dollars each, payable to the said president and directors, for the use of the people of the state of Illinois, conditioned for his good behavior, and the faithful discharge of the duties of his office.

SEC. 7. *Be it further enacted,* That a majority of the directors, including the president, shall constitute a board for the transaction of business, but if the president cannot attend, his place may be supplied by any other director whom he may, by writing under his hand, nominate for that purpose. And if the president shall die, resign, or refuse to act, the directors shall, in the manner pointed out for the election of one of their own body, proceed to the election of one of their own body as president, who shall continue in office, exercise the same duties and privileges until the next general election of president and directors.

SEC. 8. *Be it further enacted*, That the president and directors of the principal bank, shall have power and authority to procure the necessary plates, books, and paper, to carry the provisions of this law into effect. And the sum of two thousand dollars for that purpose is hereby set apart, out of any moneys in the treasury not otherwise appropriated: the auditor of public accounts is hereby authorized and required to issue his warrant on the treasurer in favor of the said president and directors of the principal bank, when they shall have been elected and qualified under this act, for that sum.

SEC. 9. *Be it further enacted*, That the said principal bank shall issue notes or bills to the amount of three hundred thousand dollars, the balance of the capital stock to be subject to the disposal of the next general assembly, of a denomination not exceeding twenty dollars, nor less than one, in the following form, as nearly as may be:

“The President and Directors of the State Bank of Illinois, promise to pay A. B. or bearer, the sum of dollars, agreeably to the provisions of the charter of this institution, with interest thereon at the rate of two per cent. per annum from the date, at the principal bank at Vandalia (or at the branch bank, at as the case may be.) Vandalia, day of 182 (Receivable at all times for debts due the state or bank;”)

which notes shall be signed by the president of said bank, and countersigned by the cashier; and said president and directors may choose such device for said notes or bills, as they may think proper.

SEC. 10. *Be it further enacted*, That the president and directors of the principal bank and the several branches are authorized to procure convenient buildings for the transaction of business and the safe keeping of the funds and other property of the institution.

SEC. 11. *Be it further enacted*, That for the equalization and fair distribution of the capital stock hereby created, the president and directors of the principal bank, shall immediately after its organization and as soon as the notes of the said institution can be prepared for emission, proceed to make the following distribution thereof, to wit: to the presidents and directors of the branches in the several districts in proportion to the inhabitants of each district respectively.

SEC. 12. *Be it further enacted,* That so soon as the president and directors of the different branches shall have been furnished with the several sums, as specified in the preceding section, they are authorized and required to loan out the same or so much thereof, as may be applied for by citizens residing within the district to which each branch is by this act limited in its operations, and that the president and directors of the principal bank and each of its branches, in the granting of loans to the several applicants, shall make amongst the inhabitants composing each of their respective districts a distribution as nearly as practicable upon the same principles in relation to the population contained within their respective counties composing such districts: *Provided, however,* That previous to the granting of any loan, the person or persons applying for the same, shall execute and deliver to said bank, a note payable to the president and directors thereof, for the use of the state; the payment of which to be secured by a mortgage on real estate, free of incumbrances, for all sums over one hundred dollars; of sums of that amount or under, personal security, such as in the opinion of the board may be deemed good and sufficient, may be taken, the security to sign such note as principal; and in all cases no loan shall be made except by two thirds of the said board then present. All real estate so taken as security, to be of double the value of the sum so required to be loaned: *Provided further,* That no individual shall ever be entitled to a greater loan than one thousand dollars, nor from any bank other than that which shall be located in the district in which he shall reside. And the president and directors of the principal bank or branches are hereby authorized and required to adopt such measures to ascertain the value of the property proposed to be mortgaged as security, as they may deem necessary and sufficient.

SEC. 13. *Be it further enacted,* That the said bills and notes, when issued, shall bear two per cent. interest per annum, from the respective dates, until redeemed. And all persons effecting a loan from any of said banks, shall be required to pay at the rate of six per cent. per annum on the amount of laid loan, until the same shall be discharged. And the notes and bills so issued as aforesaid, shall be receivable in discharge of all debts which now are or which may hereafter become due to the state, or to any county, or to said banks: *Provided,* That the said six per centum shall be retained at the time by the respective banks on the amount of all loans which may be effected by virtue of this law.

SEC. 14. *Be it further enacted*, That all loans made under the authority of this act, shall be considered as standing accommodations, subject to the control of the board of directors, and the notes given shall be renewable yearly: and all notes, bonds, and mortgages, shall be drawn in favor of the president and directors of the State Bank of Illinois, for the use of the people of the said state; and all such notes and bonds, shall be made payable twelve months after date: *Provided, however*, That the board of directors for each bank may from time to time examine the situation of any debt due the bank, and require additional security or pledges, when those which may have been given may be considered insufficient or unsafe; and that the president and directors of the principal bank or branches be not permitted to become security for any person or persons borrowing from said bank or either of said branches.

SEC. 15. *Be it further enacted*, That the board of directors for the principal bank and of the several branches, shall have power and discretion in all matters relative to the security and collection of debts which may hereafter become due to the institution; and when they shall be of opinion that any of said banks are in danger of losing any debt, they shall have power, and it shall be their duty, to notify the drawer or drawers of such note or mortgage, so suspected to be in danger; that he will be required, on a day therein specified, to give additional security or mortgages; and in case of the drawer or drawers of such note refusing or failing to give such additional security, it shall be the duty of the said board of directors to have said note protested in manner and form as in other cases made and provided; and they shall proceed immediately to the collection of the same by plaint, bill, or otherwise, in any court having jurisdiction of the same.

SEC. 16. *Be it further enacted*, That it shall be the duty of the president and directors of the several branches, to make a report of their proceedings to the principal bank half yearly, stating particularly the situation of the bank, amount of stock on hand, amount of debts due the institution, the payment of which how secured, and to what amount, quantity of notes in circulation, and the expenses that have accrued, and for what: which reports so made and transmitted, shall, by the board of directors of the principal bank, be laid before the legislature, with their own biennial report.

SEC. 17. *Be it further enacted*, That it shall be the duty of the president and directors of the principal bank, to lay before

the legislature, on the tenth day of every session, true statements of the amount of capital stock on hand in the principal bank and each branch, of the debts due the same, of what description, and how secured, of the notes in circulation, and whether any moneys are deposited, of specie on hand, notes of other banks, and to what amount, the description of bank buildings, and expenses incurred, &c. designating every thing particularly. And the legislature shall likewise appoint a committee or committees, whose duty it shall be to examine the condition either of the principal bank or any or all of its branches, whenever they may deem it necessary; whereupon the general assembly shall proceed to adopt such measures as they may think expedient, not inconsistent with the nature of the institution.

SEC. 18. *Be it further enacted*, That the respective presidents of the principal bank and branches shall, as a compensation for their services, in addition to the amount which as individuals they might be entitled to, have a standing accommodation in their respective banks, giving the same security as in other cases, and paying at the rate of two per cent. interest per annum, the president of the principal bank the sum of two thousand dollars, and branch president one thousand dollars; and each director shall be entitled to a standing accommodation of seven hundred and fifty dollars, on the same conditions.

SEC. 19. *Be it further enacted*, That the president and directors of the principal bank, and each of its branches, shall allow to each cashier, clerk, or other officer, such salary as they may deem just and equitable for their respective services, not exceeding the sum of eight hundred dollars.

SEC. 20. *Be it further enacted*, That the said bank and branches shall not transact any other business in their respective departments, than is expressly authorized by this act, except that they may receive in exchange for their own bills and notes, land office paper of the district in which the bank may be located, or gold and silver coins;—all which exchanges shall not be made otherwise than at par. But said banks shall at all times receive money on deposit, and keep and pay out the same without compensation.

SEC. 21. *Be it further enacted*, That the said institution shall not be dissolved until the notes, bills, and undertakings on its part shall be finally and faithfully settled. *Provided*, That after the expiration of the term for which it is created, it shall not transact any other business further than to settle and close its contracts as above prescribed.

SEC. 22. *Be it further enacted*, That if any person, who shall have been accommodated with a loan from the principal bank or any of its branches, shall fail, neglect, or refuse to pay the regular annual instalment, it shall be the duty of the board of directors of the said principal bank or branch, to have the note (if a note) protested; if said loan be secured by mortgage, to have said mortgage foreclosed, and to proceed to the collection of said debt without delay: and all judgments in favor of said bank against individuals, shall carry costs as in other cases.

SEC. 23. *Be it further enacted*, That all the lands, town lots, and other property, belonging to the state, and all the funds and all the revenue which now is or may hereafter become payable to the state, shall be and the same are hereby pledged for the redemption of the *notes* and *bills* which may be issued by virtue of this act; and the people of the state of Illinois, by their representatives in the General Assembly convened, do hereby pledge themselves, at or before the expiration of the said ten years, recited in the first section, and before the final dissolution of this institution, to redeem all such notes and bills as may be presented to them, in gold or silver coins.

SEC. 24. *Be it further enacted*, That the president and directors of the respective banks shall be required to reserve so much of their stock, as will defray all expenses which may be incurred; and they shall also be authorized and required to pay over to all persons entitled to compensation under this act, quarter yearly, out of the funds so reserved or the interest accruing from discounts, so much of their respective salaries or compensations as may have become due.

SEC. 25. *Be it further enacted*, That the said principal bank shall not issue more notes or bills than the amount of the said capital stock.

SEC. 26. *Be it further enacted*, That before any of the said presidents, directors, cashiers, or clerks, shall enter on the duties of their respective offices, they shall take and subscribe the following oath or affirmation, viz: "I do solemnly swear (or affirm) that I will in all things faithfully demean myself as president of this bank; that I will not permit money to be loaned to any individual without sufficient security, and that I will do all things in my power to prevent all frauds and impositions on said bank, so long as I shall continue president thereof, so help me God;" (the oath shall be suitably varied for directors, cashiers, or clerks;) which oath may be administered by any justice

of the peace, and shall be by him filed with his certificate with the clerk of the circuit court of the county, and it shall be the duty of said clerk carefully to preserve the same.

SEC. 27. *Be it further enacted*, That no execution shall issue on any judgment or replevy bond now in force or which shall be hereafter rendered or entered into until the first day of November next; and all executions which shall thereafter issue on judgments now existing, or that shall be rendered on existing causes of action, or on causes of action which shall accrue before the first day of May next, or on contracts entered into before the first day of May next, may be replevied for three years from the date of the levy of the execution, unless the plaintiff or plaintiffs, by him, her, or themselves, or agents, shall endorse on the back of the execution, "that the notes or bills of the State Bank of Illinois, or of either of its branches, will be received in discharge of this execution."

SEC. 28. *Be it further enacted*, That it shall be the duty of the board of directors of the said bank, so to regulate the call or instalment on all loans made under the authority of this act, that the whole of the said loan shall be drawn in on or before the expiration of this charter: *Provided*, That all such instalments shall be so regulated as to become due and payable annually.

SEC. 29. *Be it further enacted*, That the said bank shall be required to withdraw annually the one tenth part of the whole amount of notes and bills issued by virtue of this act; which tenth part, so withdrawn, shall never again, by any means whatever, be thrown into circulation.

SEC. 30. *Be it further enacted*, That it shall be the duty of the treasurer of the state of Illinois, to deposit all such gold and silver coins, bills, and notes, as shall, from time to time, come into the treasury on account of the said state, in said bank; and it shall be the duty of the cashier thereof to credit said treasurer in a book furnished for that purpose, with all such moneys, notes, or bills, so deposited, and to keep an account current with the treasury.

SEC. 31. *Be it further enacted*, That for all sums allowed by law, which the treasurer shall from time to time be required to pay, he shall draw his check on said bank in favor of the person entitled; and it shall be the duty of said bank to honor and pay all such checks in the notes or bills of said bank: *Provided*, That the said treasurer shall at no time check for any greater sums than he shall have so deposited.

SEC. 32. *Be it further enacted*, That it shall be the duty of the directors of the principal bank, whenever it may be deemed expedient by them, to appropriate the amount of any moneys, other than the notes created by this act, which may be in deposit and belonging to the said state or institution, whether the same shall have been received in payment of loans, on deposit, or otherwise, to the redemption of any part of the notes issued by them under the authority of this act, although the period designated for their payment may not have expired, giving sixty days' notice in one or more newspapers printed within this state, of the amount, description, and number of such notes so to be redeemed; and at the several offices or branches where the same will be so redeemed; specifying the days and times: and that in case the notes so designated are not presented for redemption at the periods so to be specified, the interest accruing thereon shall thereafter cease.

SEC. 33. *Be it further enacted*, That it shall be the duty of the cashier of the principal bank or either of its branches, whenever any person or persons shall be desirous of depositing in the said bank, or either of its branches, any of the notes hereby authorized to be issued, to give, to such person or persons, a certificate of such deposit, expressing the amount thereof, with the rate of interest arising therefrom; which certificate shall be made payable to the bearer or order, at the option of the person making such deposit, which certificate shall not be construed to be payable in any other manner or time than as is expressed in the notes which may be so deposited, and in conformity to the several provisions of this act.

SEC. 34. *Be it further enacted*, That all contracts entered into after the first day of May next, for money payable in the notes or bills of the State Bank of Illinois, and suits are brought to enforce any such contract, the judgment of the court shall be for the money, interest, and damages, or for the damages and costs, which shall be found due and assessed, payable in the notes or bills of the State Bank of Illinois.

SEC. 35. *Be it further enacted*, That the state treasurer is hereby authorized to receive from the secretary of the treasury of the United States, all moneys accruing to the state of Illinois, for school purposes, by an act of Congress admitting said state into the Union, and he is hereby directed to pay over the same, together with all specie or land office money, which may be received into the treasury, to the president and directors of the principal bank.

SEC. 36. *Be it further enacted*, That whenever it may be necessary and proper, they are authorized to issue notes to double the amount of money so deposited, payable on demand at the principal bank, which notes so issued shall always, upon being presented at the principal bank, be redeemed in gold or silver coins; it shall be the duty of the said president and directors, whenever notes of that description are prepared, to distribute the same among the several branches in the same ratio and proportion as they have in this act been authorized and required to distribute the other notes of this bank, the same to be loaned to individuals to an amount not exceeding three hundred dollars to any one individual at the rate of six per cent. per annum. The president and directors of the principal bank may call in the whole or a part of the loans of said notes, in the same notes or gold and silver, at any time, by giving thirty days' previous notice.

SEC. 37. *Be it further enacted*, That the president and directors of the branch banks are hereby required to forward quarter yearly to the principal bank all specie that they may in any wise acquire.

SEC. 38. *Be it further enacted*, That the act entitled "An act to incorporate the subscribers to the State Bank of Illinois, approved March 27th, 1819," be and the same is hereby repealed.

And of the acts amendatory thereto, which said act of 1821, establishing the State Bank of Illinois, is entirely null and void, because they say, that it is in violation of that portion of the 10th Section of the 1st Article of the constitution of the United States, which declares that no state shall issue bills of credit.

7th. And for further cause of demurrer, they set down and show to the Court, that in, and by the said return, it is shown, that the report of the Circuit Attorney therein referred to, was made on the 20th day of February 1833, when in fact and in truth in and by the said act of the 12th February, 1833, it is expressly provided, that such act shall not take effect, and be in force until and after the 20th day of March 1833, and such circuit Attorney in and by the first section of said act, is not required to report to the said Auditor, until the 1st day of March 1834, and that any other construction to this act would make it retrospective, and give to it an *ex post facto* operation.

And for further replication in this behalf, as to the residue of the said answer of the said James T. B. Stapp, Auditor as aforesaid, they say that the said relator is not indebted in manner and form, to the said President and Directors of the State

Bank of Illinois, as in and by the said answer is alleged, and this they pray may be enquired of by the country, &c.

And for further replication in this behalf, to the said residue of the said Answer, and not demurred to; they say that the said relator before the commencement of the proceedings herein, has fully paid and satisfied the said sum of money in the said Answer, alleged to be due by the said relator, to the said state bank, and this they are ready to verify. Wherefore, &c.

And for further replication in this behalf, as to the said residue of the said Answer, and not demurred to; they say that the said President and Directors, before the commencement of the proceedings herein, were justly indebted to the said relator in the sum of three thousand dollars, for work, labor, and services, care, diligence by him before that time, had done, performed and bestowed as their servant and agent, in, about, and upon their business, and at their special instance and request, which said sum of money so due, and owing from the said bank to the said relator as aforesaid, exceeds the amount alleged to be due, in and by the said Answer, and which said sum of money is still due and owing to the said relator, and is hereby offered to be set off and allowed to the said President and Directors in full of the amount of their claim against him, according to the form of the Statute in such case made and provided, and this they are ready to verify. Wherefore, &c.

And for further replication to so much of the said Answer, as is not herein before demurred to; they say that before and at the commencement of the proceedings herein, the said relator had just claims against the said Auditor, for and on behalf of the people of the State of Illinois, amounting to the further sum of \$3000 for services, care, labor, and diligence by the said relator before that time, rendered and bestowed, to and for the said state, and at their special instance and request, in divers suits, causes of action, and in the obtaining of divers judgments, and in the collection of divers large sums of money, and in the sale and disposition of divers quantities of real estate, belonging to the said state, to the amount of \$35,000, which said sum of \$3000, for the said services, is still due and owing, and unpaid, and is hereby offered to be set off and allowed to the said President and Directors, in full of their claim against him, according to the Statute in such case made and provided. And this they are ready to verify; Wherefore they pray judgment, &c.

FIELD, PRICKETT & GRANT,
Attys. for Compls.

To this demurrer and replication, a formal joinder was filed by the Attorney General, on behalf of the said Auditor; and after argument of counsel, and due deliberation by the Court, the following order was made in the premises.

| | | |
|--|---|----------------------------|
| The People on the Relation of Theophilus W. Smith, | } | Motion for Mandamus. |
| <i>vs.</i> James T. B. Stapp, Auditor of Public Accounts of the State of Illinois. | | |

This day came as well the said plaintiffs, by Field, Prickett and Grant, their attorneys, as the Attorney General, in behalf of the said defendant, who files his answer to the rule of this Court, entered on Saturday last, requiring him, said defendant, to show cause why a mandamus should not issue for the purposes set forth in said rule; and after argument, the Court being now sufficiently advised of and concerning the premises, It is ordered and considered by the Court here, that a peremptory mandamus be awarded against the Auditor of public accounts of the State of Illinois, commanding him to issue his warrant on the Treasury of the said state in favor of the said Theophilus W. Smith, for the sum of five hundred and ninety-one dollars, due the said Smith, for salary, as associate justice of the Supreme Court on the 30th day of September, A. D. 1833.

I, JAMES M. DUNCAN, Clerk of the Supreme Court of the State of Illinois, do certify that the preceding pages, contain a correct transcript of the orders and pleadings in the case of "The People on the Relation of T. W. Smith, *vs* James T. B. Stapp, Auditor of Public Accounts, of the State of Illinois," as appears of Record.

Witness the seal of said Court, at Vandalia, this 2d day of February 1835.

JAMES M. DUNCAN,
Clerk.

Mr. Harris from the select committee, to which was referred the bill from the Senate, entitled "An act to incorporate the Alton Hotel Company:" reported the same back to the House without amendment.

Ordered to a third reading.

On motion of Mr. Thomas,

Dec page 343 Journal and Decd. 1836. for part omitted

The rule of the House was dispensed with, and said bill was now read the third time by its title.

On the question, shall said bill pass?

It was decided in the affirmative, yeas 30, nays 14.

The yeas and nays were called for by Messrs. Blackwell and Bowyer on the passage of this bill.

Those voting in the affirmative, are

Messrs. Able, Brown, Clark, Dunn, Elliott, Ficklin, Frazer, Gregory, Hackelton, Hamlin, Harris, Harreld, Hampton, Hunt, Hunter, Link, Lincoln, Manly, McGahey, Murphy, Owen, Ross, Rowan, Stuart, Thomas, Tunnel, Vandevanter, Whiteside, Webb, and Mr. Speaker—30.

Those voting in the negative, are

Messrs. Anderson, Blackwell, Blockburger, Bowyer, Carpenter of Hamilton, Carpenter of Sangamon, Cloud, Cunningham, Dawson, Dubois, Henry, Hughes, Nunnally and Oliver—14.

Ordered that the title of the bill be as aforesaid, and that the clerk inform the Senate thereof.

A message from the Senate by Mr. Davis their assistant Secretary.

MR. SPEAKER,

I am directed to inform the House of Representatives, that the Senate have adopted the following resolution, viz.

“Resolved by the Senate, (the House of Representatives concurring herein,) that at 3 o’clock, of this day, P. M. the two Houses will proceed to the election of six circuit Attorneys, a Warden of the Penitentiary, Attorney General, Judges of Probate, in all those counties where there are vacancies; and a superintendent of the Gallatin county Saline,” in the adoption of which, they ask the concurrence of the House of Representatives,” and then he withdrew.

Mr. Dunn, from the select committee to which was referred the bill from the Senate entitled “An act to extend for a limited time the charter of the Bank of Illinois at Shawneetown,” with the proposed amendments thereto,

Reported the same back to the House with sundry amendments; by striking out all the proposed amendments, and adding at the end thereof the following *proviso*, to wit:

“*Provided* said Bank pay into the State Treasury a bonus of one per cent. upon two hundred thousand dollars of their capital stock, payable in twenty equal annual instalments, which shall be applied to the payment of the state debt. And said

bank shall be exempt from further taxation, in consideration thereof."

Which was read and concurred in, and,
On motion of Mr. Whiteside,
Laid on the table.

The amendments of the Senate to the bill from the House, entitled "An act to amend an act entitled An act to regulate the penitentiary," approved February 19th, 1833, were read and concurred in.

Ordered, That the clerk inform the Senate thereof.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

The resolution from the Senate relative to the election of State's Attorneys, &c. was read.

Mr. Dunn moved to amend said resolution by striking out all after the word "*Resolved*," and insert the following, viz.:

"That the two Houses meet this evening at 3 o'clock, in the Hall of the of House Representatives, for the purpose of electing an Attorney General, five State's Attorneys, and Judges of Probate in those counties in which there are vacancies."

Mr. Tunnel moved to amend the proposed amendment, by adding the following, viz.:

"And also a President and Directors of the State Bank of Illinois,"

Which was not agreed to.

The proposed amendment was then agreed to, and the resolution, as amended, was then adopted.

Ordered that the Clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Rowan, from the select committee to which was referred the bill from the Senate entitled

"An act to establish a state road from Equality to McLeansborough,"

Reported the same back to the House with amendments, which were read and concurred in.

Ordered to a third reading, as amended.

Mr. Brown, from the select committee to which was referred the bill from the Senate entitled

"An act amending an act creating the county of Tazewell, and the several acts supplemental thereto,"

Reported the same back to the House with an amendment, which was read and concurred in.

Ordered to a third reading, as amended.

A message from the Senate, by Mr. Davis their assistant Secretary.

MR. SPEAKER:—I am directed to inform the House that the Senate have laid on the table until the 4th day of July next, the resolution from the House requesting the Senate to return to the House the bill entitled "An act to incorporate the Colleges therein named."

And he withdrew.

A message from the Council of Revision, by Mr. Brown, their Secretary.

MR. SPEAKER:—The Council of Revision have approved bills of the following titles, viz.:

"An act concerning the school fund."

"An act to incorporate the Alton Marine and Fire Insurance Company."

"An act to lay out a state road from Greenville in Bond county, to Carlinville in Macoupin county."

"An act to locate a state road from Shelbyville to Chicago."

"An act for the relief of Thomas Redmond."

"An act to amend an act entitled an act to provide for the application of the interest of the school fund arising from the sale of school lands belonging to the several townships in this state," approved March 1st, 1833.

"An act for the relief of Warren county."

"An act for the relief of the sheriff of Union county."

"An act to locate a state road therein named, and for other purposes."

"An act to provide for the distribution and application of the interest of the school, college and seminary funds."

"An act relative to the receiver of the Vermillion Saline Reserve, and the commissioner of the Gallatin Saline Lands."

"An act in relation to bank collectors."

"An act to amend the practice act of 1827."

And he withdrew.

Mr. Cloud, from the committee on Enrolled Bills, repor

that this day they laid before the Council of Revision bills of the following titles, viz.:

"An act to incorporate the Alton Marine and Fire Insurance Company."

"An act relative to the receiver of the Vermillion Saline Reserve, and the commissioner of the Gallatin Saline Lands."

"An act to locate a state road from Shelbyville to Chicago."

"An act in relation to bank collectors."

"An act to lay out a state road from Greenville, in Bond county, to Carlinville, in Macoupin county."

"An act to amend the practice act of 1827."

"An act to prevent trespassing on the canal lands of this state."

"An act for the benefit of the widow and heirs of Reuben Goddard, deceased."

"An act to locate a state road therein named, and for other purposes."

"An act for the relief of Warren county."

"An act for the relief of the sheriff of Union county."

"An act to provide for the distribution and application of the interest of the school, college and seminary funds."

"An act for the relief of Thomas Redmond."

"An act to amend an act entitled an act to provide for the application of the interest of the fund arising from the sale of the school lands, belonging to the several townships in this state," approved March 1st, 1833: and the

"Resolutions in relation to the improvement of the navigation of the Cache river."

The bills from the Senate entitled

"An act declaring Crooked creek, in Schuyler county, a navigable stream;" and,

"An act to provide for issuing writs of ne exeat and habeas corpus, and for other purposes,"

Were severally read the third time, and passed.

Ordered that the titles of the bills be as aforesaid, and that the clerk inform the Senate thereof.

The bill from the Senate entitled

"An act to amend an act appropriating a portion of the avails arising from the sale of the Saline Lands in Gallatin county to internal improvements," approved Feb. 16, 1831, as amended,

Was read the third time, and passed.

Ordered that the title of the bill be as aforesaid, that the

clerk inform the Senate thereof, and ask their concurrence therein.

The engrossed bill entitled

"An act to amend an act concerning the public revenue," approved Feb. 27, 1833,

Was read the third time and passed.

Ordered that the title of the bill be as aforesaid, that the clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Wyatt from the select committee, to which was referred the bill from the Senate, entitled, "an act to incorporate the subscribers to the Bank of the State of Illinois," reported the same without amendment: When,

On motion of Mr. Dubois,

Said bill was laid upon the table.

Message from the Senate by Mr. Davis, assistant Secretary:

"MR. SPEAKER:—I am directed to inform the House of Representatives, that the Senate have adopted the following resolution, viz.

"Resolved by the Senate and House of Representatives, that the delivery of the address commemorative of the character and services of Maj. Wm. McHenry, deceased, be postponed until Monday next, at 6 o'clock, P. M." in the adoption of which, they ask the concurrence of the House of Representatives.

They have concurred with the House of Representatives in their amendments to the bill from the Senate, entitled,

"An act to incorporate the colleges therein named," and he withdrew.

The resolution from the Senate, relative to the address to be delivered commemorative of the character of Maj. Wm. McHenry, was read and adopted.

Ordered that the Clerk acquaint the Senate therewith.

The engrossed bill, entitled "an act concerning the 16th Section in Equality township, Gallatin county," was read the third time; When,

Mr. Rowan moved to amend the bill, by striking out the last line of the first section, which is as follows, viz:

"All of which shall be selected in the same section."

Mr. Cunningham moved to lay the bill and proposed amendment on the table, until the 4th day of July next.

The yeas and nays being called for by Messrs. Cunningham and Bowyer upon this question.

Those voting in the affirmative, are,

Messrs. Able, Bowyer, Carpenter of Hamilton, Carpenter of Sangamon, Cunningham, Dawson, Dougherty, Elliott, Ficklin, Harris, Hunt, Moore, McGahey, Murphy, Nunnally, Oliver, Outhouse, Thompson, Tunnel and Wren.—20.

Those voting in the negative, are

Messrs. Blackwell, Blockburger, Brown, Butler, Clark, Cloud, Dubois, Dunn, Frazer, Gordon, Hackelton, Hamlin, Harreld, Hampton, Henry, Hughes, Hunter, Lincoln, Link, Manly, Owen, Ross, Rowan, Stuart, Thomas, Vandervanter, Whiteside, Webb, Wyatt and Mr. Speaker—30.

So the House refused to lay the bill and proposed amendment on the table, until the 4th day of July next.

Mr. Clark moved to refer the bill and proposed amendment to a select committee.

Mr. Gordon moved the previous question:

The question was then put, on referring to a select committee, and decided in the negative.

The question was then put on the proposed amendment, and decided in the affirmative.

The question was then stated, "shall the main question be now put," and decided in the affirmative.

The question was then put, "shall the bill pass?"

The yeas and nays being called for by Messrs. Dougherty and Clark on the passage of the bill.

Those voting in the affirmative, are

Messrs. Blackwell, Blockburger, Brown, Cloud, Dubois, Dunn, Elliott, Frazer, Gordon, Hackelton, Hamlin, Harreld, Hampton, Henry, Hughes, Hunter, Lincoln, Link, Manly, Owen, Ross, Rowan, Stuart, Thomas, Trower, Vandevanter, Whiteside, Webb, Wyatt and Mr. Speaker—30.

Those voting in the negative, are,

Messrs. Able, Bowyer, Butler, Carpenter of Sangamon, Clark, Cunningham, Dawson, Dougherty, Ficklin, Harris, Hunt, Moore, McGahey, Murphy, Nunnally, Oliver, Outhouse, Thompson, Tunnel and Wren—20

So the said bill passed.

Ordered that the title of the bill be as aforesaid, that the Clerk carry said bill to the Senate, and ask their concurrence therein.

On motion of Mr. Moore

The House again resolved itself into a committee of the whole House, to take into consideration the bill entitled "an act, making appropriations for the year 1835-36." And after

some time spent therein, Mr. Speaker resumed the Chair and Mr. Ross reported that the committee of the whole House, had according to order, had said bill under consideration, had made some progress therein, and directed him to ask leave to sit again.

On the question, shall leave be given?

It was decided in the affirmative.

On motion of Mr. Dawson

The vote taken some days since upon the passage of the bill from the Senate, entitled "an act for the construction of the Illinois and Michigan Canal," was re-considered.

Mr. Webb, moved to amend the 1st Section of said bill, by inserting after the word "loan," the following, viz. "Solely on the pledge of the Canal lands and tolls, as hereinafter provided."

Mr. Whiteside moved to refer said bill to a select committee of five.

Mr. Stewart moved to lay said bill upon the table.

On the question, shall said bill be referred to a select committee of five?

It was decided in the affirmative.

Ordered that Messrs. Whiteside, Hamlin, Dawson, Henry and Dunn, be that committee.

Mr. Dubois moved that the House adjourn, which was not agreed to.

Mr. Webb moved that the committee of the whole House be discharged from the further consideration of the bill entitled "an act to encourage the killing of Wolves," which was not agreed to.

On motion of Mr. Blackwell

The House now resolved itself into a committee of the whole House to take into consideration, the bill entitled "an act to encourage the killing of Wolves," and after some time spent therein, Mr. Speaker resumed the chair and Mr. Carpenter of Hamilton, reported that the committee of the whole House had, according to order, had said bill under consideration, and directed him to report the same back to the House without amendment.

Mr. Gordon moved to refer said bill to a select committee of five.

Mr. Gregory moved to refer said bill to the committee on the Penitentiary.

On the question, shall said bill be referred to a select committee of five?

It was decided in the affirmative.

Ordered that Messrs. Gordon, Carpenter of Hamilton, Harreld, Vandevanter and Elliot, be that committee.

And then the House adjourned until Monday morning, 9 o'clock.

MONDAY, FEBRUARY 9, 1835.

House met pursuant to adjournment.

Mr. Whiteside from the committee on Finance, to which was referred the bill entitled "an act concerning public officers," reported the same back to the House with an amendment which was read and concurred in.

Ordered to be engrossed as amended for a third reading.

A message from the Senate by Mr. White their Secretary.

"MR SPEAKER—I am directed to inform the House of Representatives, that the Senate have concurred with them in the passage of a bill entitled "an act to view and lay out a state road, from Brownsville by way of Pinckneyville, to New Nashville in Washington county," as amended by them, in which amendment they ask the concurrence of the House of Representatives.

They have refused to read the third time, the bill from the House of Representatives, entitled "an act regulating the salaries of the Auditor, Treasurer and Secretary of state."

They have concurred with the House of Representatives, in the passage of bills of the following titles, viz.

"An act to change the name of Claiborn Elder," and

"An act for the relief of the heirs of Eli Pane, deceased."

They have also concurred with the House of Representatives in the passage of the bill, entitled "an act to amend an act, relating to the Attorney General and State's Attorneys," the objections of the council of Revision to the contrary, notwithstanding.

They have concurred with the House of Representatives, in their amendments to the following bills, viz.

"An act for the altering of the Vincennes and Chicago state road."

"An act to lay out a state road therein named."

"An act for the benefit of the heirs of Samuel Thurston, deceased." And

"An act appointing commissioners to review so much of the state road leading from the county seat of Peoria, to the state line of Indiana, as lies in the county of Tazewell."

They have also concurred with the House of Representatives in their amendment to the title of the last mentioned bill," and he withdrew.

Mr. Whiteside, from the select committee to which was referred the bill from the Senate entitled "An act for the construction of the Illinois and Michigan Canal,"

Reported the same back to the House without amendment.

On motion of Mr. Whiteside,

The vote taken some days since on striking out the word "five" and inserting the word "three," the number of commissioners in said bill, was reconsidered.

The question then recurring upon amending the bill by striking out five and inserting three; it was not agreed to.

The question being taken on the passage of the bill, as amended,

It was decided in the affirmative.—Yeas 40.—Nays 12.

Messrs. Frazer and Murphy called for the yeas and nays upon the passage of this bill.

Those voting in the affirmative, are

Messrs. Blackwell, Blockburger, Brown, Butler, Carpenter of Sangamon, Clark, Cloud, Dawson, Dougherty, Dubois, Dunn, Elliott, Fithian, Gregory, Gordon, Hackelton, Hamlin, Harris, Harreld, Hampton, Henry, Hughes, Hunt, Lincoln, Link, Moore, McGahey, Outhouse, Owen, Ross, Rowan, Stuart, Thomas, Trower, Tunnel, Vandevanter, Whiteside, Webb, Wyatt, and Mr. Speaker—40.

Those voting in the negative, are

Messrs. Able, Anderson, Carpenter of Hamilton, Cunningham, Ficklin, Frazer, Manly, Murphy, Nunnally, Oliver, Thompson and Wren.—12.

Ordered that the title of the bill be as aforesaid, that the clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Cloud, from the committee on Enrolled bills, reported as correctly enrolled bills of the following titles, viz:

"An act concerning estrays."

"An act concerning the colleges therein named."

"An act to authorize Ransom Higgins to build a toll bridge across Bon Pas Creek, in Edwards county."

"An act to locate a state road from Rushville, in Schuyler county, to the town of Commerce, in Hancock county."

"An act concerning public roads."

"An act to amend an act entitled an act to regulate the Penitentiary," approved Feb. 19, 1833.

On motion of Mr. Rowan,

The bill from the Senate entitled "An act to extend for a limited time the charter of the Bank of Illinois, at Shawneetown," some time since laid on the table, was taken up for consideration.

Mr. Whiteside moved to amend the bill by striking out the amendment of the House, and insert the following, to wit:

Provided, That said bank shall pay into the state treasury annually, one half per cent. on the capital stock actually paid into said bank, to be used for state purposes, and said bank shall be exempt from further taxation in consideration thereof."

Which was agreed to.

On the question, Shall said bill, as amended, pass?

It was decided in the negative.—Yeas 25.—Nays 26.

Messrs. Cloud and Able called for the yeas and nays on the passage of this bill.

Those voting in the affirmative, are

Messrs. Blackwell, Bowyer, Brown, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Dawson, Dubois, Dunn, Fithian, Frazer, Hackelton, Harreld, Hampton, Lincoln, Link, Owen, Ross, Rowan, Stuart, Thomas, Trower, Vandeventer, Whiteside, Wren and Wyatt.—26.

Those voting in the negative, are

Messrs. Able, Anderson, Blockburger, Butler, Cloud, Cunningham, Dougherty, Elliott, Ficklin, Gregory, Gordon, Harris, Henry, Hughes, Hunt, Hunter, Manly, Moore, McGahey, Murphy, Nunnally, Oliver, Outhouse, Thompson, Tunnell, Webb, and Mr. Speaker.—27.

Ordered that the clerk inform the Senate thereof.

On motion of Mr. Dawson,

The bill from the Senate entitled "An act to incorporate the subscribers to the Bank of the State of Illinois," some days since laid upon the table, was taken up for consideration.

Mr. Webb moved to lay said bill on the table until the 4th day of July next;

Which was not agreed to.—Yeas 21.—Nays 32.

The yeas and nays being called for by Messrs. Webb and Cunningham;

Those voting in the affirmative, are

Messrs. Anderson, Butler, Carpenter of Hamilton, Cloud, Cunningham, Elliott, Ficklin, Henry, Hughes, Hunt, Hunter, Manly, Moore, McGahey, Murphy, Nunnally, Oliver, Thompson, Tunnell, Webb, and Mr. Speaker.—21.

Those voting in the negative, are

Messrs. Able, Blackwell, Blockburger, Boyer, Brown, Carpenter of Sangamon, Clark, Dawson, Dubois, Dunn, Fithian, Frazer, Gregory, Gordon, Hackelton, Hamlin, Harris, Harreld, Hampton, Lincoln, Link, Owen, Ross, Rowan, Stuart, Thomas, Trower, Vandevanter, Whiteside, Wren, and Wyatt.—32.

So the House refused to lay said bill on the table until the 4th day of July next.

Mr. Dubois moved to amend said bill as follows, viz.:

"1st section, 6th line, strike out the words "subscribed by individuals, and". After the word "each" in 7th line, insert "one million four hundred thousand dollars of said capital stock to be subscribed by individuals." Strike out the words "of which" 8th line, 9th section: 13th line after "shall" insert "finish." After "open" insert "in this state."

Add at the end of 9th section "and if the whole of the capital stock herein authorized to be subscribed for, shall not be taken, within twenty days after the books shall be opened as aforesaid, the said commissioners, or a majority of them, shall open other books, on such days and at such places as they shall deem expedient, giving at least twenty days notice, of the time and place of re-opening said books, in one or more of the newspapers printed at or near the place of re-opening said books."

Add "SEC 35. The stock in said bank, shall be considered as personal property, and may be sold, on execution, and transferred on the books of the bank, by the officer selling the same, but in all cases be subject to a *lien* in favor of the bank, for all debts *bona fide* due or then owing, or to become due the same from the owner.

"SEC. 36. The said bank shall pay into the state treasury, annually, on the first day of January, one half per cent. on the amount of capital stock actually paid in by individuals, in lieu of all taxes and impositions whatsoever."

Amend section 10th: "*Provided* that if on closing the books, it shall be found that more than one million four hundred thou-

sand dollars have been subscribed, the excess shall be taken, first, from such as reside out of the state; then from corporations; and should there still be an excess, the same shall be taken, in proportion from the subscriptions over one thousand dollars, until all are reduced to that amount; then from all, equally, until the whole amount shall not exceed one million four hundred thousand dollars."

Strike out section 14th, and insert the following in lieu thereof: "After the first election, no stock-holder, who shall not have held his stock, for which he votes, for three calendar months previous to the day of election, shall be entitled to vote; and the number of votes to which stockholders shall be entitled, in voting for directors, shall be in the proportion following; *that is to say*, for each and every share not exceeding four, one vote: for every two shares above four shares and not exceeding thirty, one vote: for every four shares above thirty, and not exceeding ninety, one vote: for every six shares above ninety and not exceeding one hundred and fifty, one vote: and for every ten shares above one hundred and fifty, one vote. But no person, co-partnership, or corporation, shall be entitled to a greater number than one hundred votes. In all elections for directors, votes may be given either in person or by proxy; but no person shall vote by proxy, more than one hundred votes; and no individual stockholder who shall be a resident of the county where the election is to be held, at the time of such election, shall vote by proxy, unless in case of unavoidable absence, except females, or minors: *Provided*, No president, cashier, or other officer of said bank, or branches thereof, shall be permitted to vote at any election for directors, as the attorney, agent, or proxy, of any stockholder. *Provided also*, That no president, cashier, or director of the bank, shall, during the term of his office, be eligible to a seat in either branch of the General Assembly of this state."

Mr. Henry moved to refer said bill and proposed amendments to a committee of the whole House, and that they be made the order of the day for to-morrow.

Mr. Thomas moved to refer the same to a select committee.

Mr. Dunn moved to lay the same on the table.

The question being taken on referring to a committee of the whole House, it was decided in the affirmative.

Mr. Link, from the select committee to which was referred the bill entitled "An act to provide for the security of school funds," and the proposed amendments thereto,

Reported the same with an amendment, which was read and concurred in.

The bill then passed, as amended.

Ordered that the title of the bill be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Cloud, from the committee on Enrolled Bills, reported that they this day laid before the Council of Revision bills of the following titles, viz.:

"An act concerning estrays."

"An act to incorporate the colleges therein named."

"An act to authorize Ransom Higgins to build a toll bridge across Bon Pas Creek, in Edwards county."

"An act to locate a state road from Rushville, in Schuyler county, to the town of Commerce, in Hancock county."

"An act concerning public records;" and

"An act to amend an act entitled an act to regulate the Penitentiary," approved Feb. 19, 1833.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

A message from the Senate by Mr. White their Secretary.

"MR. SPEAKER—I am directed to inform the House of Representatives, that the Senate have passed a bill entitled

"An act to amend an act entitled an act to incorporate the Rushville and Beardstown Turnpike Company."

In the passage of which they ask the concurrence of the House of Representatives.

They have concurred with the House in the passage of a bill entitled "An act for the benefit of the infant heirs of Robert B. Murphy, late of Perry county, deceased."

They have also concurred with them in the passage of the bill entitled "An act for the benefit of a person therein named," as amended by them, in which amendment they ask the concurrence of the House of Representatives.

They have concurred with the House of Representatives in their amendments to the bill from the Senate, entitled "an act for the construction of the Illinois and Michigan Canal."

They have concurred with the House of Representatives in their amendment to the resolution from the Senate, relative to the election of Attorney General, State's Attorneys, &c. as amended by them; amended as follows: Insert after "State's Attorneys," the words "a warden of the Penitentiary," strike out the words 'this evening,' and insert in lieu thereof, the words "Tuesday 10th *inst.*" in which amendment of the Senate to the amendment of the House, to said resolution, they ask the concurrence of the House of Representatives," and he withdrew.

On motion of Mr. Blockburger,

The vote taken this day, upon the passage of the bill from the Senate, entitled "an act to extend for a limited time, the charter of the Bank of Illinois, at Shawneetown," as amended, was reconsidered.

Mr. Blockburger moved to lay said bill upon the table; which was not agreed to.

On the question, shall said bill pass as amended?

It was decided in the affirmative, yeas 28—nays 23.

Messrs. Murphy and Cunningham, called for the yeas and nays, upon the passage of this bill.

Those voting in the affirmative, are,

Messrs. Blackwell, Blackburger, Bowyer, Brown, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Dawson, Dubois, Dunn, Frazer, Gregory, Hackelton, Hamlin, Harreld, Hampton, Lincoln, Link, Outhouse, Owen, Ross, Rowan, Thomas, Trower, Vandevanter, Whiteside, Wren and Wyatt. 28.

Those voting in the negative, are,

Messrs. Able, Anderson, Butler, Cloud, Cunningham, Dougherty, Elliott, Ficklin, Gordon, Harris, Henry, Hughes, Hunter, Manly, Moore, McGahey, Murphy, Nunnally, Oliver, Thompson, Tunnel, Webb and Mr. Speaker, 23.

Ordered, That the title of the bill be as aforesaid, that the clerk inform the Senate thereof, and ask their concurrence therein.

On motion of Mr. Thomas,

The Committee of the whole House were discharged from the further consideration of the bill from the Senate, entitled 'An act to incorporate the subscribers to the Bank of the State of Illinois,' and proposed amendments.

The question then recurring upon the proposed amendments, A division of the question was called for.

The question being taken on each amendment separately, they were severally concurred in.

On motion of Mr. Hamlin,

The 9th section of the bill was amended by adding the name of 'Aquila Wren' after the name of 'Wm. F. Thornton.'

On motion of Mr. Ficklin,

The name of 'Ezra Baker, jr.' was added.

On motion of Mr. Dunn,

The 9th section was further amended by striking out the name of 'Edmund S. Kimberg,' and inserting the name of 'Edward M. Wilson,' in lieu thereof.

On motion of Mr. Owen,

The name of 'Edward L. Pierson' was added, and

On motion of Mr. Ross,

The name of 'Robert R. Green' was added, severally as commissioners to open books for subscription of stock.

Mr. Henry moved to amend the 8th section of the bill by adding after the word 'Vandalia' the following, viz: 'And one branch to be established at Jacksonville, in Morgan county; *Provided*, the citizens thereof shall subscribe for two hundred thousand dollars of the capital stock,'

Which was not agreed to.

Mr. Ross moved to amend the 8th section of said bill by striking out all before the word 'the' in the 5th line, which is as follows, viz:

'The principal bank of said corporation shall be located at Springfield, and an office of discount and deposit, as a branch thereof, shall be established at Vandalia, and 'the' President & Directors aforesaid, may establish and discontinue such other offices, &c.' and insert after the word 'aforesaid', 'shall fix the location of the principal bank, and'—and strike out the word 'other' before the word 'offices',

Which was not agreed to. Yeas 23, Nays 29.

Messrs. Cloud and Gordon called for the yeas and nays on this motion.

Those voting in the affirmative are

Messrs. Blackwell, Carpenter, of Hamilton, Clark, Cloud, Cunningham, Ficklin, Fithian, Frazer, Gregory, Gordon, Hamlin, Hampton, Henry, Hunter, Manly, McGahey, Nunnally, Oliver, Owen, Ross, Thompson, Wren, and Wyatt. 23.

Those voting in the negative are

Messrs. Able, Anderson, Blockburger, Brown, Butler, Carpenter of Sangamon, Dawson, Dougherty, Dunn, Elliott, Hackelton, Harris, Harreld, Hughes, Hunt, Lincoln, Link, Moore,

Murphy, Outhouse, Rowan, Stuart, Thomas, Trower, Tunnel, Vandevanter, Whiteside, Webb, and Mr. Speaker. 29.

Mr. Blackwell moved to amend the 8th section of the bill by adding at the end thereof, the following, viz:

'Provided, however, That should the seat of government of this State, hereafter be removed to Springfield, the State Bank shall be removed from the county in which the said town of Springfield is situated, to such place in this State as a majority of the stockholders for such purpose, may select,'

Which was not agreed to.

Mr. Henry moved to strike out 'Springfield' as the seat of the principal bank, and insert 'Jacksonville.'

Mr. Hughes moved the previous question.

A division of the question being called for,

The question was taken on striking out, and decided in the negative. Yeas 16, Nays 37.

Messrs. Henry and Cloud called for the yeas and nays on this motion, on striking out.

Those voting in the affirmative are,

Messrs. Anderson, Blackwell, Cloud, Cunningham, Dubois, Ficklin, Frazer, Gregory, Gordon, Henry, Hunter, Oliver, Ross, Thompson, Webb, and Wyatt. 16.

Those voting in the negative are,

Messrs. Able, Blockburger, Brown, Butler, Carpenter of Sangamon, Carpenter of Hamilton, Clark, Dawson, Dougherty, Dunn, Elliott, Fithian, Hackelton, Hamlin, Harris, Harreld, Hampton, Hughes, Hunt, Lincoln, Link, Manly, Moore, McGabey, Murphy, Nunnally, Outhouse, Owen, Rowan, Stuart, Thomas, Trower, Tunnel, Vandevanter, Whiteside, Wren, and Mr. Speaker. 37.

The question was then put, shall the main question be now put?

And decided in the affirmative.

The main question was then put, shall the bill be read a third time?

And decided in the affirmative.

On motion of Mr. Thomas,

The rule of the House was dispensed with,

And said bill was now read the third time, as amended.

Mr. Blockburger moved to amend the bill by adding at the end thereof, the following, viz:

'Provided, That if said bank shall abuse any of its incorporated powers, by interfering in any of the elections in this State,

other than that of its own officers, the said bank, and its branches, shall forfeit its charter, and cease to exist.'

Which was agreed to.

Mr. Henry moved to amend the 23d section of said bill by striking out the following, viz :

'On all loans for one year, and not exceeding five years, ten per cent. per annum,'

Which was agreed to.

Mr. Henry moved further to strike out of said section the word 'seven' in the 9th line, and insert 'six.'

Mr. Blackwell moved to lay said bill and proposed amendments on the table. Which was not agreed to.

Mr. Webb moved to amend the proposed amendment by striking out the following, viz :

'On loans for four months or under, at the rate of seven per cent. per annum.'

Mr. Wren moved the previous question.

The question being upon the proposed amendment to the amendment, a division of the question was called for.

The question being then taken on striking out as proposed by Mr. Webb,

It was decided in the affirmative. Yeas 33, Nays 19.

The yeas and nays being called for on this question by Messrs. Dubois and Manly,

Those voting in the affirmative, are,

Messrs. Able, Anderson, Blackwell, Blockburger, Butler, Carpenter of Hamilton, Clark, Cloud, Cunningham, Dubois, Elliott, Ficklin, Fithian, Gordon, Hackelton, Hampton, Henry, Hughes, Hunt, Hunter, Lincoln, Link, Manly, Moore, McGahey, Nunnally, Oliver, Stuart, Thompson, Trower, Tunnel Webb, and Mr. Speaker—33.

Those voting in the negative, are

Messrs. Brown, Carpenter of Sangamon, Dawson, Dougherty, Dunn, Frazer, Gregory, Hamlin, Harris, Harreld, Outhouse, Owen, Ross, Rowan, Thomas, Vandevanter, Whiteside, Wren, and Wyatt.—19.

Mr. Vandevanter moved that the House adjourn.

Which was not agreed to.

On the question, Shall the main question be now put?

It was decided in the affirmative.

The main question was then put, Shall the bill, as amended, now pass?

Decided in the affirmative.—Yeas 27.—Nays 26.

Messrs. Nunnally and Thompson called for the yeas and nays upon the passage of the bill.

Those voting in the affirmative, are

Messrs. Able, Blackwell, Blockburger, Brown, Carpenter of Sangamon, Clark, Dawson, Dougherty, Dubois, Dunn, Frazer, Hackelton, Hamlin, Harreld, Hampton, Lincoln, Link, Outhouse, Owen, Ross, Rowan, Thomas, Trower, Vandevanter, Whiteside, Wren, and Wyatt.—27.

Those voting in the negative, are,

Messrs. Anderson, Butler, Carpenter of Hamilton, Cloud, Cunningham, Elliott, Ficklin, Fithian, Gregory, Gordon, Harris, Henry, Hughes, Hunt, Hunter, Manly, Moore, McGahey, Murphy, Nunnally, Oliver, Stuart, Thompson, Tunnel, Webb, and Mr. Speaker.—26.

Ordered that the title of the bill be as aforesaid, that the clerk inform the Senate thereof, and ask their concurrence to the amendments of the House therein.

And then the House adjourned.

TUESDAY, FEBRUARY 10, 1835.

House met pursuant to adjournment.

Mr. Cloud, from the committee on Enrolled Bills, reported as correctly enrolled bills of the following titles, viz.:

“An act appointing commissioners to review so much of the state road from the county seat of Peoria, to the state line of Indiana, as lies in the county of Tazewell, and for other purposes.”

“An act for the benefit of the heirs of Samuel Thurston, deceased.”

“An act to establish the county seat of Iroquois county.”

“An act to lay out a state road therein named.”

“An act for the altering of the Vincennes and Chicago state road.”

“An act for the construction of the Illinois and Michigan canal.”

“An act to incorporate the Peoria Bridge Company.”

“An act to change the name of Claiborn Elder.”

"An act to establish a state road from Crow's, in the county of Morgan, by the way of Athens, in Sangamon county, to Musick's bridge, on Salt creek."

"An act for the relief of the heirs of Eli Pain, deceased.

A message from the Council of Revision, by Mr. Brown, their Secretary.

MR. SPEAKER:—The Council of Revision have approved bills of the following titles, viz.:

"An act to amend an act entitled an act to regulate the penitentiary, approved February 19th, 1833."

"An act to locate a road from Rushville, in Schuyler county, to Commerce, in Hancock county."

"An act concerning public records."

"An act concerning estrays."

"An act to authorize Ransom Higgins to build a toll-bridge across Bonpass creek, in Edwards county."

"An act to incorporate the colleges therein named."

"An act to prevent trespassing on the canal lands of this State."

And he withdrew.

A message from the Senate, by Mr. White, their Secretary:

MR. SPEAKER:—I am directed to inform the House of Representatives that the Senate have concurred with them in the passage of bills of the following titles, viz:

"An act to incorporate the town of Lawrenceville."

"An act to amend an act to incorporate the Wabash Navigation Company, approved January 13th, 1825."

"An act declaring the road from Mount Vernon to Fairfield a State road."

"An act relative to a State road therein named."

"An act to amend an act entitled an act to incorporate the St. Clair turnpike road company, approved February 15th, 1833."

"An act for the incorporation of fire companies."

"An act to authorize the county commissioners of Edgar county to establish and re-locate a certain road therein mentioned."

"An act to authorize a special election in Sangamon county."

An act making the town of Alton a district for the election of two justices of the peace and two constables, and also for the election of one justice of the peace and one constable at White Hall, in Greene county."

"An act to amend an act to incorporate the town of Alton."

They have amended the titles of the two last mentioned bills, in which amendments they ask the concurrence of the House of Representatives.

They have concurred with the House of Representatives in the passage of the following bills, viz:

"An act to ascertain the county line between the counties of Morgan and Sangamon."

"An act to locate a State road from Frankfort, in Franklin county, by way of Vienna, in Johnson county, to the Ohio river." And

"An act permanently to locate the seat of justice of Randolph county,"

As respectively amended by them; in which amendments they ask the concurrence of the House of Representatives.

They have passed bills of the following titles, viz:

"An act to lay out a state road from Blair's ferry to Frankfort, and for other purposes."

"An act establishing a state road therein named," and

"An act for the relief of John G. McDonald and others."

In the passage of which they ask the concurrence of the House of Representatives. And he withdrew.

Mr. Webb, from the committee on Finance, to which was referred the bill from the Senate entitled

"An act in addition to an act supplemental to an act entitled an act to provide for raising a revenue,"

Reported the same back to the House with amendments, which were read and concurred in.

Ordered to a third reading, as amended.

On motion of Mr. Webb,

The rule of the House was dispensed with, and said bill was now read the third time, and passed, as amended.

Ordered that the title of the bill be as aforesaid, that the clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Gregory, from the committee on Education, to which was referred the bill entitled

"An act providing for the education of orphan children,"

Reported the same back to the House with an amendment, which was read.

Mr. Webb moved to lay said bill upon the table until the 4th day of July next.

Which was decided in the affirmative.—Yeas 32.—Nays 19.

Messrs. Webb and Nunnally called for the yeas and nays upon this motion.

Those voting in the affirmative, are,

Messrs. Able, Anderson, Blackwell, Bowyer, Butler, Carpenter of Hamilton, Clark, Cloud, Cunningham, Dawson, Dubois, Elliott, Ficklin, Eithian, Frazer, Hackelton, Hamlin, Harris, Henry, Hughes, Hunt, Manly, Moore, McGahey, Murphy, Nunnally, Oliver, Outhouse, Ross, Webb, Wren, and Wyatt.
—32.

Those voting in the negative, are

Messrs. Blockburger, Brown, Carpenter of Sangamon, Dunn, Gregory, Gordon, Harreld, Hunter, Lincoln, Link, Owen. Stuart, Thomas, Thompson, Tower, Tunnel, Vandevanter, Whiteside, and Mr. Speaker.—19.

Mr. Cunningham from the committee on Petitions, to which was referred the petitions of sundry citizens of Sangamon, Taxewell, and Morgan counties, praying the establishment of a new county out of said counties, made a report adverse to the prayer of said petitioners, and asked to be discharged from the further consideration thereof. The report was read.

On the question shall said committee be discharged?

It was decided in the affirmative.

Mr. Thomas, from the select committee to which was referred the bill from the Senate entitled

“An act to repeal all laws authorizing the taking and collecting of the docket fee in any case either at law or in equity,”

Reported back to the House a substitute, which was read.

Mr. Rowan moved to refer said bill and substitute to a select committee.

Which was not agreed to.

The question being taken upon concurring in the substitute reported by the select committee,

It was decided in the affirmative.

Ordered to a third reading, as amended.

On motion of Mr. Blockburger,

The rule of the House was dispensed with, and said bill was now read the third time by its title, and passed, as amended.

On motion of Mr. Thomas,

The title of said bill was amended so as to read “An act supplemental to the act to provide for the election of county recorders and surveyors.”

Ordered that the title of the bill be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Wren, from the select committee, to which was referred the bill from the Senate entitled "An act regulating the terms of holding the supreme and circuit courts, and fixing the salary of the circuit judges,"

Reported the same back to the House with an amendment; which was read and concurred in.

Ordered to a third reading, as amended.

On motion of Mr. Dougherty,

The rule of the House was dispensed with, and said bill was now read the third time by its title, and passed, as amended.

Ordered that the title of the bills be as aforesaid, that the clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Gordon, from the select committee to which was referred the bill entitled "An act to encourage the killing of wolves,"

Reported the same back to the House with an amendment.

Mr. Dubois moved to lay said bill and proposed amendment upon the table until the 4th day of July.

Which was decided in the negative.—Yeas 18.—Nays 27.

Messrs. Blackwell and Nunnally called for the yeas and nays, upon this motion.

Those voting in the affirmative, are,

Messrs. Able, Dawson, Dougherty, Dubois, Ficklin, Fithian, Henry, Hughes, Hunt, Lincoln, Moore, McGahey, Murphy, Oliver, Steuart, Trower, Dunn, and Webb, 13.

Those voting in the negative, are,

Messrs. Anderson, Blackwell, Bowyer, Brown, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cloud, Cunningham, Elliott, Frazer, Gregory, Gordon, Hackelton, Harris, Harreld, Hunter, Nunnally, Outhouse, Owen, Ross, Rowan, Thomas, Thompson, Whiteside, Wyatt, and Mr. Speaker, 27.

Mr. Anderson moved the previous question.

The question was then taken on concurring with the select committee, and agreed to.

On the question, Shall the main question be now put?

It was decided in the affirmative.

The main question was then put, Shall the bill be engrossed for a third reading?

It was decided in the negative. Yeas 24, nays 26.

Messrs. Dubois and Webb called for the yeas and nays upon this question.

Those voting in the affirmative, are

Messrs. Anderson, Blackwell, Bowyer, Brown, Butler, Carpenter of Hamilton, Clark, Clond, Cunningham, Elliott, Frazer, Gordon, Hackelton, Hamlin, Harris, Harreld, Henry, Hunter, Nunnally, Owen, Ross, Vandevanter, Whiteside, and Wyatt.—24.

Those voting in the negative, are,

Messrs. Able, Carpenter of Sangamon, Dawson, Dougherty, Dubois, Dunn, Ficklin, Fithian, Gregory, Hughes, Hunt, Lincoln, McGahey, Manly, Moore, Murphy, Oliver, Outhouse, Rowan, Stuart, Thomas, Thompson, Trower, Tunnel, Webb, and Mr. Speaker.—26.

The amendments of the Senate to the amendment of the House to the resolution from the Senate relative to the election of attorney general and state's attorney's, &c. were read and concurred in.

Ordered, That the clerk inform the Senate thereof.

Mr. Butler, from the select committee to which was referred the bill from the Senate entitled "An act to locate a state road from Knoxville to New Boston,"

Reported the same back to the House with an amendment, which was read.

Mr. Hackelton moved to fill the blank in said bill with the name of "Rand Wells;"

Which was agreed to.

The amendment of the select committee, as amended, was then concurred in.

Ordered to a third reading, as amended.

Mr. Butler, from the select committee to which was referred the bill from the Senate entitled "An act to locate a state road from Rushville to Monmouth,"

Reported the same back to the House with an amendment; which was read and concurred in.

Ordered to a third reading, as amended.

Mr. Hackelton, from the select committee to which was referred the bill entitled "An act declaring Spoon river a navigable stream,"

Reported back to the House a substitute; which was read and concurred in.

Ordered to be engrossed for a third reading.

A message from the Senate by Mr. White, their Secretary.

MR. SPEAKER—I am directed to inform the House of Representatives that the Senate has passed a bill of the following title, viz.:

"An act to amend an act concerning marriages," approved Feb. 14, 1827;

In the passage of which they ask the concurrence of the House of Representatives. And he withdrew.

Mr. Trower, from the select committee to which was referred the bill entitled "An act for the purposes therein named,"

Reported the same back to the House with an amendment; which was read and concurred in.

Mr. Frazer moved to amend the bill by striking out so much as excepts "Vermillion county."

Mr. Gregory moved to refer said bill and proposed amendment to a select committee.

Mr. Clark moved to lay the bill on the table until the 4th day of July next.

The question being taken upon referring said bill and proposed amendment to a select committee,

It was agreed to.

Ordered that Mr. Gregory, Whiteside and Frazer, be that committee.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met pursuant to adjournment.

Mr. Cloud, from the committee on Enrolled Bills, reported that they this day laid before the Council of Revision bills of the following titles, viz.:

"An act to establish a state road from Crow's, in the county of Morgan, by the way of Athens, in Sangamon county, to Musick's Bridge, on Salt creek."

"An act for the construction of the Illinois and Michigar canal."

"An act for relief of the heirs of Eli Pain, deceased."

"An act appointing commissioners to review so much of the state road leading from the county seat of Peoria, to the state line of Indiana, as lies in the county of Tazewell, and for other purposes."

"An act for the benefit of the heirs of Samuel Thurston, deceased."

"An act to establish the seat of justice of Iroquois county."

"An act to lay out a state road therein named."

"An act to incorporate the Peoria Bridge Company."

"An act for the altering of the Vincennes and Chicago state road."

"An act to change the name of Claiborn Elder."

A message from the Council of Revision, by Mr. Brown, their Secretary.

MR. SPEAKER:—The Council of Revision have approved bills of the following titles, viz.:

"An act for the construction of the Illinois and Michigan canal."

"An act to establish the seat of justice of Iroquois county."

"An act to incorporate the Peoria Bridge Company."

"An act to establish a state road from Crow's in the county of Morgan, by the way of Athens, in Sangamon county, to Musick's Bridge, on Salt creek."

"An act to change the name of Claiborn Elder."

'An act for the altering the Vincennes and Chicago State road ;'

'An act appointing commissioners to review so much of the State road, leading from the county seat of Peoria to the State line in Indiana, as lies in the county of Tazewell, and for other purposes ;'

'An act to lay out a State road therein mentioned.'

The amendment of the Senate to the amendment of the House of Representatives to the amendment of the Senate to the bill from the House of Representatives, entitled 'An act to remove the seat of Justice of Adams county,' was read.

On the question, will the House concur with the Senate in said amendment ?

It was decided in the negative. And

On motion of Mr. Ross,

A committee of conference was appointed upon the disagreeing vote of the two Houses upon said amendment.

Ordered, That Messrs. Ross, Vandevanter, and Butler, be that committee, on the part of the House ; and that the clerk inform the Senate thereof, and ask a committee of conference on their part.

Mr. Hackelton from the select committee to which was referred the bill, entitled

'An act to establish the county seat of Rock Island county,' with the amendments of the Senate thereto,

Reported the same back to the House without amendment, and recommended a rejection of the amendments of the Senate.

The question was taken upon concurring with the Senate in their amendments to said bill, and decided in the negative.

Ordered, That the clerk inform the Senate thereof.

The amendments of the Senate to the bill; entitled

‘An act to view and lay out a State road from Brownsville by way of Pinckneyville, to New Nashville, in Washington county,’

Was read and concurred in.

Ordered, That the clerk inform the Senate thereof.

Mr. Stuart from the Committee on Petitions, to which was referred the petitions and remonstrances of sundry citizens of Champaign county, praying that a part of the county of Vermilion to be stricken off to Champaign county, &c. and remonstrating against it, reported adverse to the prayer of said petitioners, and asked to be discharged from the further consideration of said subject.

On the question of discharging said committee,

It was decided in the affirmative.

Mr. Stuart from the same committee to which was referred the petitions of sundry citizens of Champaign county, praying a removal of the county seat of said county, reported adverse to the prayer of said petitioners, and asked to be discharged from the further consideration of said petitions.

The question being taken on discharging said committee from the further consideration of said petitions,

It was decided in the affirmative.

And then the House adjourned until 3 o'clock, P. M.

3 o'clock, P. M.

House met pursuant to adjournment.

A message from the Governor, by A. P. Field, Esq., Secretary of State:

Mr. SPEAKER—I am directed by the Governor to lay before the House a written communication.

And he withdrew.

The communication was read, and is as follows, viz:

EXECUTIVE DEPARTMENT,
Vandalia, February 10th, 1835.

To the Hon. the Speaker of the House of Representatives:

SIR—I beg leave to inform the House of Representatives, that a vacancy has occurred in the office of Judge of the third Judicial Circuit, by the resignation of Henry Eddy, Esq.

I have the honor to be, Sir,
 Your ob't. Ser't.

JOSEPH DUNCAN.

On motion of Mr. Bowyer,
 Laid on the table.

The Senate, preceded by their Speaker, appeared in the Hall of the House of Representatives, in pursuance of a joint resolution of the two houses, for the purpose of electing "an Attorney General, five States Attorney's, a Warden of the Penitentiary, and Judges of Probate in those counties where there are vacancies," &c.

The vote being then taken for Attorney General of the State of Illinois, Jesse B. Thomas, Esq. received fifty-five votes; A. B. Dunbar, Esq. received thirteen votes; Seth T. Sawyer, Esq. received three votes for that office; Scattering, three.

Those who voted for Mr. Thomas are,

Messrs. Bond, Craig, Jones, McGahey, Mather, Maxwell, Mitchell, Rattan, Stephenson, Taylor, Vance, Whiteside, Will, and Williamson, of the Senate, and

Messrs. Able, Blackwell, Bowyer, Brown, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Cloud, Dawson, Dunn, Elliott, Fithian, Frazer, Gregory, Hackelton, Hamlin, Hampton, Harris, Harreld, Henry, Hughes, Hunt, Hunter, Lincoln, Link, McGahey, Moore, Murphy, Oliver, Outhouse, Owen, Ross, Rowan, Stuart, Thompson, Trower, Tunnell, Vandevanter, Whiteside, Wren, and Mr. Speaker, of the House of Representatives.—55.

Those who voted for Mr. Dunbar are,

Messrs. Davidson, Hacker, Mills, Noel, and Williams of the Senate, and

Messrs. Clark, Cunningham, Gordon, Manly, Nunnally, Thomas, Webb, and Wyatt, of the House of Representatives
 —13.

Those who voted for Mr. Sawyer are,

Messrs. Ewing, Gatewood, and Snyder of the Senate—3.

Mr. Thomas, having received a majority of all the votes given, was declared by the Speaker of the House of Representatives, duly elected Attorney General.

The vote being then taken for State's Attorney in the first Judicial Circuit, Mr. Stephen A. Douglass, Esq. received 38 votes, and John J. Hardin, Esq. received 34 votes for that office, scattering 2.

Stephen A. Douglass having received a majority of all the votes given, was declared by the Speaker of the House of Representatives, duly elected State's Attorney for the first Judicial Circuit.

Those who voted for Mr. Douglass, are

Messrs. Craig, Ewing, Hacker, McGahey, Maxwell, Mitchell, Noel, Rattan, Snyder, Stephenson, Taylor and Will, of the Senate; Messrs. Able, Blockburgher, Bowyer, Carpenter, of Hamilton, Carpenter, of Sangamon, Clark, Dawson, Hackelton, Hampton, Harris, Harreld, Hunter, McGahey, Murphy, Nunnally, Oliver, Outhouse, Owen, Thomas, Thompson, Tunnel, Vandevanter, Whiteside, Wren, Wyatt, and Mr. Speaker of the House. 38.

Those who voted for Mr. Hardin, are, Messrs. Davidson, Edwards, Gatewood, Jones, Mather, Mills, Thomas, Vance, and Whiteside, Williams, and Williamson of the Senate; and Messrs. Blackwell, Brown, Butler, Cloud, Cunningham, Dubois, Dunn, Elliott, Fithian, Frazer, Gordon, Gregory, Hamlin, Henry, Hunt, Lincoln, Link, Manly, Moore, Ross, Rowan, Stuart, and Webb. 34.

The vote being then taken for State's Attorney in the third Judicial Circuit, John Dougherty, Esq. received 44 votes, and Alexander F. Grant, Esq. received 31 votes for that office.

Mr. Dougherty having received a majority of all the votes given, was declared, by the Speaker of the House of Representatives, duly elected to that office.

Those who voted for Mr. Dougherty are, Messrs. Craig, Hacker, Jones, Mather, Thomas, Will, Williams and Williamson of the Senate; and Messrs. Able, Blackwell, Blockburgher, Bowyer, Brown, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cunningham, Dawson, Frazer, Hackelton, Hamlin, Harris, Harreld, Hughes, Hunter, Link, McGahey, Moore, Murphy, Nunnally, Oliver, Outhouse, Owen, Ross, Thomas, Thompson, Trower, Tunnell, Vandevanter, Whiteside, Wren, Wyatt, and Mr. Speaker of the House of Representatives—44.

Those voting for Mr. Grant, are

Messrs. Bond, Davidson, Edwards, Ewing, Gatewood, McGahey, Maxwell, Mills, Mitchell, Noel, Rattan, Snyder, Stephenson, Taylor, Vance, and Whiteside of the Senate; and Messrs. Cloud, Dubois, Dunn, Elliott, Fithian, Gordon, Gregory, Hampton, Henry, Hunt, Lincoln, Manly, Rowan, Stuart, and Vandevanter of the House of Representatives—31.

The vote was then taken for State's Attorney in the fourth Judicial Circuit, when Orlando B. Ficklin, Esq., received 46 votes, Sandy French, Esq., received 24 votes, and Stephen B. Shelledy, Esq., received 2 votes for that office—scattering 3.

Mr. Ficklin having received a majority of all the votes given, was declared, by the Speaker of the House of Representatives, duly elected to that office.

Those who voted for Mr. Ficklin, are

Messrs. Davidson, Ewing, Gatewood, Jones, Mills, Stephenson, Taylor, Thomas, Vance, Whiteside, Will, and Williamson of the Senate; and Messrs. Able, Blackwell, Bowyer, Brown, Butler, Clark, Cloud, Cunningham, Dawson, Dubois, Dunn, Elliott, Fithian, Frazer, Gordon, Gregory, Hackelton, Hamlin, Harreld, Hughes, Hunt, Hunter, Lincoln, Link, Moore, Manly, Owen, Ross, Stuart, Trower, Vandevanter, Webb, Whiteside, and Wren of the House of Representatives—46.

Those who voted for Mr. French, are

Messrs. Bond, Craig, Edwards, Hacker, McGahey, Maxwell, Mitchell, Noel, Nattan, Snyder, and Williams of the Senate; and Messrs. Blockburger, Carpenter of Sangamon, Hampton, Harris, Henry, McGahey, Manly, Nunnally, Oliver, Thomas, Thompson, Wyatt, and Mr. Speaker of the House of Representatives—24.

Mr. Mather of the Senate, and Mr. Carpenter of Hamilton, of the House of Representatives, voted for Mr. Shelledy.

The vote being taken for State's Attorney in the fifth Judicial Circuit, Wm. A. Richardson, Esq., received 57 votes, and O. H. Browning, Esq., received 11 votes for that office—scattering 7.

Mr. Richardson having received a majority of all the votes given, was declared, by the Speaker of the House of Representatives, duly elected State's Attorney for the fifth Judicial Circuit.

Those who voted for Mr. Richardson, are

Messrs. Bond, Edwards, Ewing, Gatewood, Hacker, McGahey, Maxwell, Mills, Mitchell, Noel, Rattan, Snyder, Stephenson, Taylor, Whiteside, and Will of the Senate; and Messrs. Able, Blackwell, Blockburger, Bowyer, Brown, Butler, Carpenter of Sangamon, Clark, Cloud, Cunningham, Dawson, Dunn, Elliott, Fithian, Gregory, Hackelton, Hamlin, Hampton, Harris, Harreld, Hughes, Hunter, Lincoln, Link, McGahey, Moore, Murphy, Nunnally, Oliver, Outhouse, Ross, Rowan, Stuart, Thomas, Thompson, Trower, Vandevanter, Whiteside, Wren, Wyatt, and Mr. Speaker of the House of Representatives—57.

Those who voted for Mr. Browning, are

Messrs. Craig, Jones, Mather, Thomas, Vance, and Williams of the Senate; and Messrs. Frazer, Gordon, Henry, Owen, and Webb of the House of Representatives—11.

The vote being taken for State's Attorney for the sixth Judicial Circuit, James Grant, Esq. received forty-eight votes for office; scattering, twenty-one.

Mr. Grant having received a majority of all the votes given, was declared by the Speaker of the House of Representatives duly elected to that office.

Those who voted for Mr. Grant, are

Messrs. Craig, Edwards, Ewing, Gatewood, Hacker, McGahey, Maxwell, Mills, Mitchell, Noel, Snyder, Stephenson, Taylor, Vance, and Whiteside, of the Senate; and

Messrs. Able, Blackwell, Blockburger, Boyer, Butler, Carpenter of Sangamon, Cloud, Dubois, Dunn, Fithian, Gordon, Gregory, Hackelton, Hamlin, Hampton, Harris, Harreld, Henry, Hughes, Hunter, Lincoln, Link, McGahey, Murphy, Oliver, Outhouse, Owen, Rowan, Thomas, Tunnell, Whiteside, Wren, and Mr. Speaker, of the House of Representatives—48.

The vote was then taken for Warden of the Penitentiary; when Stinson H. Anderson received sixty-seven votes for that office; scattering, six.

Mr. Anderson having received a majority of all the votes given for that office, was declared by the Speaker of the House of Representatives, duly elected.

Those who voted for Mr. Anderson are,

Messrs. Bond, Craig, Davidson, Edwards, Ewing, Gatewood, Jones, McGahey, Maxwell, Mills, Mitchell, Noel, Rattan, Snyder, Stephenson, Taylor, Thomas, Vance, Whiteside, Will, Williams, and Williamson, of the Senate, and

Messrs. Able, Blackwell, Blockburger, Bowyer, Butler, Car-

penter of Hamilton, Carpenter of Sangamon, Cloud, Cunningham, Dawson, Dubois, Dunn, Elliott, Ficklin, Fithian, Frazer, Gordon, Gregory, Hackelton, Hamlin, Hampton, Harris, Harreld, Henry, Hughes, Hunt, Hunter, McGahey, Moore, Murphy, Nunnally, Oliver, Outhouse, Owen, Ross, Stuart, Thomas, Trower, Tunnel, Vandevanter, Webb, Whiteside, Wyatt, and Mr. Speaker—67.

The two houses then proceeded to the election of Judges of Probate, by a joint ballot; Messrs. Stephenson of the Senate and Hughes of the House being appointed tellers:

When the following persons were declared by the Speaker of the House of Representatives duly elected, viz.:

For the county of Jasper, George W. Caruthers.

For the county of Greene, Lewis W. Link.

For the county of Mercer, Jesse Willett.

The Senate then withdrew.

Mr. Murphy moved that the House adjourn.

Mr. Moore moved that the House adjourn until six o'clock,

P. M.

The question was taken upon adjourning.

Which was not agreed to.

The question was then taken upon adjourning until 6 o'clock,

P. M. Which was agreed to.

6 o'clock, P. M.

House met pursuant to adjournment, when,
On motion,

The House adjourned.

WEDNESDAY, *February 11, 1835.*

House met, pursuant to adjournment.

Mr. Cloud, from the committee on Enrolled Bills, reported as correctly enrolled bills of the following titles, viz.:

'An act to provide for building a toll bridge across the Little Calamic.'

'An act to change the corporate powers of the town of Chicago.'

'An act to incorporate the Alton Hotel Company.'

'An act to provide for issuing writs of *ne exeat* and *Habeas Corpus*, and for other purposes.'

'An act to amend an act appropriating a portion of the avails arising from the sale of Saline Lands in Gallatin county to internal improvements,' approved Feb. 16, 1831.

'An act declaring Crooked Creek, in Schuyler county, a navigable stream.'

Mr. Stuart, from the select committee to which was referred the bill entitled 'An act to amend an act entitled an act relative to the duties of the office of Attorney General of the State,' reported back to the House a substitute, which was read and concurred in.

Ordered to be engrossed for a third reading.

Mr. Gregory, from the select committee to which was referred the bill entitled 'An act for the purposes therein mentioned,' reported back to the House a substitute; which was read and concurred in.

Ordered to be engrossed for a third reading.

Mr. Fithian proposed for adoption the following resolution: '*Resolved by the House of Representatives* (the Senate concurring herein) That both Houses of this General Assembly adjourn, *sine die*, on Thursday the 12th of February, 1835, at 4 o'clock, P. M.'

Mr. Ross moved to lay said resolution on the table.

Which was agreed to. Yeas 23, nays 21.

The yeas and nays being called for by Messrs. Dubois and Manly,

Those voting in the affirmative, are

Messrs. Blockburger, Bowyer, Brown, Carpenter of Sangamon, Dawson, Ficklin, Frazer, Gregory, Hackelton, Harris, Harreld, Lincoln, Murphy, Oliver, Owen, Ross, Thomas, Trower, Tunnel, Vandevanter, Whiteside, and Wren.—23.

Those voting in the negative, are

Messrs. Able, Butler, Carpenter of Hamilton, Clark, Cunningham, Dougherty, Dubois, Elliott, Fithian, Gordon, Hamlin, Hampton, Henry, Hunt, Hunter, Link, Manly, Moore, Nunnally, Outhouse, and Mr. Speaker.—21.

Mr. Manly proposed for adoption the following resolution, viz.:

'*Resolved by the House of Representatives* (the Senate concur-

ring herein) That each House meet in the Hall of the House of Representatives, at 12 o'clock, M. to-day, for the purpose of electing a Judge for the third judicial circuit.'

Mr. Dunn moved to amend the resolution by striking out "12" and inserting "2, P. M."

Mr. Dubois moved to amend the proposed amendment by striking out "2" and inserting "6:" which was agreed to.

The amendment as amended was then agreed to.

The resolution, as amended, was then adopted.

Ordered that the Clerk inform the Senate thereof, and ask their concurrence therein.

A message from the Senate by Mr. White their Secretary.

"MR SPEAKER—I am directed to inform the House of Representatives, that the Senate have passed bills of the following titles, viz.:

'An act to amend an act to license and regulate taverns.'

'An act to amend an act prescribing the mode of summoning grand and petit jurors, and defining their qualifications and duties.'

'An act to locate a road from Golconda, in Pope county, to Pinckneyville, in Perry county.'

'An act concerning the public revenue,' and

'An act to change a part of the state road leading from Vandalia to Golconda, and for other purposes.'

In the passage of which they ask the concurrence of the House of Representatives.

They have concurred with the House in the passage of bills of the following titles, viz.

'An act for the relief of a person therein named,' and

'An act to amend an act concerning the trustees of Shawnee-town.'

They have concurred with the House of Representatives in their amendments to the bill from the Senate entitled

'An act providing for the security of the school fund.'

And he withdrew.

The bill from the Senate, entitled

'An act to amend an act entitled an act to incorporate the Rushville and Beardstown Turnpike Company,'

Was read the first time, and

Odered to a second reading.

On motion of Mr. Hackelton,

The rule of the House was dispensed with, and said bill was now read the second time by its title, and

Ordered to a third reading; and

On motion of Mr. Dawson,

The rule of the House was again dispensed with, and said bill was now read the third time by its title, and passed.

Ordered, That the title of the bill be as aforesaid, and that the Clerk inform the Senate thereof.

The amendments of the Senate to the bill from the House, entitled

‘An act for the relief of a person therein named,’

Was read.

On the question, will the House concur with the Senate in their amendment to said bill?

It was decided in the negative.

Ordered, That the Clerk inform the Senate thereof.

The bill from the Senate, entitled

‘An act to amend an act concerning marriages, approved February 14th, 1827,’

Was read the first time, and

On motion of Mr. Ficklin,

Laid upon the table until the 4th day of July next.

Ordered, That the Clerk inform the Senate thereof.

The engrossed bill, entitled

‘An act supplemental to an act concerning the county of Fulton, approved February 25th, 1833,’

Was read the third time, and passed.

Ordered, That the title of the bill be as aforesaid, and that the Clerk inform the Senate thereof, and ask their concurrence therein.

On motion of Mr. Gordon,

The rule of the House was dispensed with, and the bill from the Senate, entitled

‘An act to establish a State road from Equality to M’Leansborough,’

Was read the third time by its title, and passed as amended.

Ordered, That the title of the bill be as aforesaid—that the Clerk inform the Senate thereof, and ask their concurrence in their amendment therein.

On motion of Mr. Brown,

The rule of the House was dispensed with, and the bill from the Senate, entitled

‘An act amending an act creating the county of Tazewell, and the several acts supplemental thereto,’

Was read the third time by its title, as amended, and passed.

Ordered, That the title of the bill be as aforesaid—that the Clerk inform the Senate thereof, and ask their concurrence to the amendment of the House therein.

On motion of Mr. Butler,

The bill, entitled

‘An act concerning public officers,’

Was referred to a select committee.

Ordered, That Messrs. Butler, Thompson, and Hunter, be that committee.

On motion of Mr. Moore,

The rule of the House was dispensed with, and the bill from the Senate, entitled

‘An act to locate a State road from Knoxville to New Boston,’

Was read the third time by its title, and passed, as amended.

Ordered, That the title of the bill be as aforesaid—that the Clerk inform the Senate thereof, and ask their concurrence therein.

On motion of Mr. Hackelton,

The rule of the House was dispensed with, and the bill from the Senate, entitled

‘An act to locate a State road from Rushville to Monmouth,’

As amended, was read the third time by its title, and passed.

Ordered, That the title of the bill be as aforesaid—that the Clerk inform the Senate thereof, and ask their concurrence therein.

On motion of Mr. Blockburger,

The House again resolved itself into a committee of the Whole House, upon the bill entitled ‘An act making appropriations for the years 1835 and 1836,’ and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Moore reported that the committee of the Whole House had according to order, had said bill under consideration, had made sundry amendments thereto, in which they ask the concurrence of the House.

The amendments were then read and concurred in, and

On motion of Mr. Hughes,

Referred to the committee on Public Accounts and Expenditures.

On motion of Mr. Ross,

The bill, entitled

‘An act for the relief of the persons therein named,’
Some days since laid upon the table, was taken up for consideration, and,

On motion of Mr. Dougherty,
Referred to a select committee of five.

Ordered, That Messrs. Dougherty, Webb, Ross, Murphy, and Able, be that committee.

Mr. Murphy moved that the House adjourn until 2 o’clock, P. M.

Which was not agreed to.

The engrossed bill, entitled

‘An act declaring Spoon river a navigable stream,’

Was read the third time, and passed.

Ordered, That the title of the bill be as aforesaid—that the Clerk inform the Senate thereof, and ask their concurrence therein.

And then the House adjourned until 2 o’clock, P. M.

2 o’clock, P. M.

House met pursuant to adjournment.

Mr. Cloud, from the committee on enrolled bills, reported that this day they laid before the Council of Revision bills of the following titles, viz:

‘An act to provide for building a toll-bridge across the Little Calamic.’

‘An act to change the corporate powers of the town of Chicago.’

‘An act to incorporate the Alton Hotel Company.’

‘An act to provide for issuing writs of *ne exeat*, *habeas corpus*, and for other purposes.’

‘An act to amend an act appropriating a portion of the avails arising from the sale of the Saline lands in Gallatin county, to internal improvements, approved Feb. 16, 1831.’

‘An act declaring Crooked Creek in Schuyler county, a navigable stream.’

Mr. Hughes from the committee on Public Accounts and Expenditures, to which was referred the bill entitled ‘An act ma-

king appropriations for the years 1835 and 1836,' reported the same back to the House without amendment.

Ordered to be engrossed for a third reading.

On motion of Mr. Gordon, the rule of the House was dispensed with, and said bill was now read the third time by its title, and passed.

Ordered, That the title of the bill be as aforesaid, that the clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Dunn from the select committee to which was referred the petition of James Walker, praying remuneration for losses sustained by improving canal lands, &c. reported a bill entitled 'An act for the benefit of James Walker, which was read the first time, and ordered to a second reading.

On motion of Mr. Cunningham, the rule of the House was dispensed with, and said bill was now read the second time by its title, and ordered to be engrossed for a third reading.

On motion of Mr. Hamlin, the rule of the House was further dispensed with, and said bill was now read the third time, by its title; and

On motion of Mr. Gordon, laid upon the table.

A message from the Senate by Mr. White, their Secretary :

Mr. Speaker, I am directed to inform the House of Representatives, that the Senate have concurred with them in their amendments to the following bills, viz:

'An act to incorporate the subscribers to the Bank of the State of Illinois.'

'An act amending an act creating the county of Tazewell, and the several acts supplemental thereto.'

'An act to locate a State road from Rushville to Monmouth.'

And they refuse to accede to the request of the H. of R. to appoint a committee of conference on the disagreeing vote of the two houses, relative to the bill from the House entitled 'An act to remove the seat of justice of Adams county.'

They have receded from their amendment to the bill from the H. of R. entitled 'An act to establish the county seat of Rock Island County.'

They have concurred with the H. of R. in the adoption of the following resolution, having for its object the meeting of the two Houses in the hall of the House, at 6 o'clock, P. M. of this day, for the purpose of electing a Judge for the third Judicial Circuit, &c.' as amended by them.

Amend as follows: 'Add to the said resolution the words,

‘and a President and Directors for the State Bank,’ in which amendment they ask the concurrence of the H. of R.

They have adopted a resolution authorizing the ‘joint select committee, appointed by the two Houses, to digest the School Laws, &c. to perform said duty during the recess of the General Assembly,’ in the adoption of which they ask the concurrence of the House of Representatives.

They have concurred with the House of Representatives in their amendments to the following bills, viz:

‘An act to extend for a limited time the charter of the Bank of Illinois at Shawneetown.’

‘An act to establish a State road from Equality to McLeansborough.’ And

‘An act in addition to an act supplemental to an act entitled an act to provide for raising a revenue.’ And he withdrew.

A message from the Council of Revision, by Mr. Brown, their Secretary.

Mr. Speaker : The Council of Revision have approved bills of the following titles, viz :

‘An act to provide for issuing writs of *ne exeat* and *habeas corpus*, and for other purposes.’

‘An act declaring Crooked Creek in Schuyler county, a navigable stream.’

‘An act to amend an act appropriating a portion of the avails arising from the Saline lands in Gallatin county, to internal improvements, approved February 16, 1831.’

‘An act to change the corporate powers of the town of Chicago.’

‘An act to provide for building a toll bridge across the Little Calamic.’ And he withdrew.

On motion of Mr. Ross, the House receded from its vote of non-concurrence in the amendment of the Senate to the amendment of the House to the amendment of the House to the bill from the House entitled ‘An act to remove the seat of justice of Adams county.’

Ordered, That the clerk inform the Senate thereof.

Mr. Butler from the select committee to which was referred the engrossed bill entitled ‘An act concerning public officers,’ reported the same back to the House with an amendment, which was read and concurred in.

The bill then passed as amended.

Ordered, That the title of the bill be as aforesaid, that the clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Oliver, on leave granted, introduced the petition of Mary Hitchcock, praying the confirmation of a certain contract ; which was read. And on motion of Mr. Dunn, laid upon the table.

The amendments of the Senate to the title of the bill, entitled 'An act making the town of Lower Alton, a district for the election of two Justices of the Peace and two Constables ; and also for the election of one Justice of the Peace and one constable at White Hall, in Greene county,' was read and concurred in.

Ordered, That the clerk inform the Senate thereof.

The amendment of the Senate to the title of the bill, entitled 'An act to amend an act to incorporate the town of Alton,' was read, and not concurred in.

Ordered, That the clerk inform the Senate thereof.

The amendments of the Senate to the bills from the House, entitled 'An act to ascertain the county line between the counties of Morgan and Sangamon,' and

'An act to locate a State road from Frankfort in Franklin county, by way of Vienna in Johnson county, to the Ohio river,' were severally read and concurred in.

Ordered, That the clerk inform the Senate thereof.

The amendment of the Senate to the bill from the House, entitled 'An act permanently to locate the seat of justice of Randolph county, was read; and

On motion of Mr. Murphy,

Referred to a select committee.

Ordered, That Messrs. Murphy, Thompson and Bowyer be that committee.

The bill from the Senate, entitled 'An act to lay out a road from Blair's ferry to Frankfort, and for other purposes,' was read the first time, and

Ordered to a second reading.

On motion of Mr. Moore,

The rule of the House was dispensed with, and said bill was now read the second time by its title.

Ordered to a third reading.

On motion of Mr. Blockburger,

The rule of the House was dispensed with, and said bill was now read the third time by its title, and passed.

Ordered, That the title of the bill be as aforesaid, and that the clerk inform the Senate thereof.

Mr. Dougherty, from the select committee to which was

referred the bill, entitled 'An act for the relief of the persons therein named,' reported the same back to the House with an amendment; which was read, and not concurred in.

Mr. Dunn moved to refer said bill to a select committee.

Mr. Moore moved to lay said bill upon the table until the 10th of June nex.

The question was then taken upon referring said bill to a select committee, and agreed to.

Ordered, That Messrs. Dunn, Ross, and Trower, be that committee.

Mr. Hughes from the select committee to which was referred the bill, entitled 'An act to amend an act, entitled an act providing for the election of Justices of the Peace and Constables, approved, December 30th, 1826,' reported the same back to the House with an amendment, which was read and not concurred in.

Ordered to be engrossed for a third reading.

On motion of Mr. Gordon,

The rule of the House was dispensed with, and said bill was now read the third time by its title.

On the question, shall said bill pass?

It was decided in the negative.

The bill from the Senate, entitled 'An act establishing a State road therein named,' was read the first time, and

Ordered to a second reading.

On motion of Mr. Carpenter of Hamilton,

The rule of the House was dispensed with, and the bill read a second time by its title; when,

On motion of Mr. Dougherty,

The bill was referred to a select committee.

Ordered, That Messrs. Dougherty, Frazer, and Harris, be that committee.

Mr. Dougherty, from the select committee to which the foregoing bill was returned, reported the same with an amendment, which was read and concurred in; and

Ordered to a third reading, as amended, and

On motion of Mr. Dougherty,

The rule of the House further dispensed with, and the bill read the third time by its title.

The bill then passed as amended.

Ordered, That the clerk inform the Senate thereof, and ask their concurrence therein.

The amendment of the Senate, relative to the election of a Judge in the 3d Judicial Circuit, was read and concurred in.

Ordered, That the clerk inform the Senate thereof.

The bills from the Senate, entitled 'An act to licence and regulate taverns;' and

'An act to locate a road from Golconda in Pope county, to Pinckneyville in Perry county,' were severally read the first time, and

Ordered to a second reading.

On motion of Mr. Frazer,

The first named bill was read the 2d time by its title, and

Ordered to a third reading.

On motion of Mr. Bowyer,

The rule of the House was dispensed with, and the last named bill read the second time by its title, and

On motion of Mr. Murphy,

Referred to a select committee.

Ordered, That Messrs. Murphy, Dunn, and Bowyer, be that committee.

The bill from the Senate, entitled 'An act for the relief of John G. McDonald and others,' was read the first time.

The question was then put, shall the bill be read the second time?

And upon this question the Yeas and Nays being called for by Messrs. Hunt and Dubois,

Those who voted in the affirmative, are

Messrs. Able, Blackwell, Blockburger, Butler, Carpenter of Hamilton, Clould, Dawson, Dougherty, Dunn, Elliott, Fithian, Gordon, Hamlin, Henry, Hunter, Lincoln, McGahey, Manly, Moore, Nunnally, Owen, Ross, Rowan, Stuart, Trower, Tunnel, and Webb—27.

Those voting in the negative, are

Messrs. Bowyer, Carpenter of Sangamon, Clark, Cunningham, Dubois, Ficklin, Frazer, Hampton, Harris, Harreld, Hunt, Oliver, Whiteside, Wyatt, and Mr. Speaker—15.

So said bill was ordered to a third reading.

On motion of Mr. Manly,

The rule of the House was dispensed with, and the bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Manly, Dubois, and McGahey, be that committee.

The bill from the Senate, entitled 'An act to amend an act prescribing the mode of summoning Grand and Petit Jurors, and defining their qualifications and duties,' was read the first time, and

Ordered to a second reading.

On motion of Mr. Ficklin,

The rule of the House was dispensed with, and the bill read the second time by its title.

Mr. Ficklin moved to refer the bill to a select committee, which was not agreed to.

On motion of Mr. Webb,

The bill was laid upon the table.

The bill from the Senate, entitled 'An act concerning the Public Revenue,' was read the first time; when

Mr. Blockburger moved to lay the bill on the table until the 4th of July next, which was decided in the affirmative. Yeas 23—Nays 22.

The Yeas and Nays being called for by Messrs. Ross and Vandevanter on this question,

Those voting in the affirmative, are

Messrs. Blockburger, Carpenter of Hamilton, Carpenter of Sangamon, Cloud, Cunningham, Dawson, Dubois, Ficklin, Gordon, Hampton, Harris, Henry, Hunter, Lincoln, McGahey, Nunnally, Outhouse, Stuart, Tunnel, Webb, Whiteside, Wyatt, and Mr. Speaker—23.

Those voting in the negative, are

Messrs. Able, Bowyer, Brown, Butler, Dougherty, Dunn, Elliott, Fithian, Frazer, Gregory, Hackelton, Hamlin, Harreld, Hughes, Hunt, Moore, Murphy, Oliver, Owen, Ross, Thomas, and Vandevanter—22.

The bill from the Senate, entitled 'An an act to change a part of the State road leading from Vandalia to Golconda, and for other purposes,' was read the first time, and

Ordered to a second reading.

On motion of Mr. Dunn,

The rule of the House was dispensed with, and the bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Frazer,

The rule of the House was dispensed with, and the bill read a third time by its title, and passed.

Ordered, That the title of the bill be as aforesaid, and that the clerk inform the Senate thereof.

On motion of Mr. Webb,

The bill this day laid upon the table, entitled 'An act to amend an act prescribing the mode of summoning Grand and Petit Jurors, and defining their qualifications and duties,' was taken up.

On the further motion of Mr. Webb,

The bill was amended by adding the following at the end of the 2d section:

'Provided, the clerk shall not furnish such certificate, unless the county commissioners' court shall have first made the allowance as required in the first section.'

Add at the end of the 3d section,

'Provided, the same shall always remain as a fund for the payment of Grand and Petit Jurors.'

The bill was then ordered to a third reading as amended.

On motion of Mr. Gordon,

The rule of the House was dispensed with, and said bill was read a third time by its title.

Mr. Webb moved to amend the bill by adding 'Petit' after 'such' in the 4th section.

Mr. Carpenter of Hamilton, moved to amend the proposed amendment by striking out the 4th section, which was not agreed to.

Mr. Webb's motion was then rejected.

Mr. Thomas moved to amend the bill by striking out all between the words 'that' and 'the,' in the 3d line of the 3d section; which was not agreed to.

On motion of Mr. Hughes,

The bill was amended by striking out the 4th section.

The bill then passed as amended.

Ordered, That the title of the bill be as aforesaid—that the clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Murphy, from the select committee to which was referred the bill, entitled 'An act permanently to locate the seat of justice of Randolph county,' and the amendments of the Senate thereto, reported the same without amendment.

The amendments of the Senate were then concurred in.

Ordered, That the clerk inform the Senate thereof.

The House then adjourned until 6 o'clock, P. M.

6 o'clock, P. M.

House met pursuant to adjournment.

The Senate, preceded by their Speaker, appeared in the Hall

of the House of Representatives, in pursuance of a joint resolution to that effect, and proceeded to the election of a Judge for the third judicial circuit: when Messrs. Edwards of the Senate and Mr. Stuart of the House of Representatives, were appointed tellers: and upon the ballot being taken, it appeared that Alexander F. Grant had 40 votes, Walter B. Scates, 35, and 2 scattering.

Mr. Grant having a majority of all the votes given, was declared duly elected Judge of the third judicial circuit of this state.

The two Houses then proceeded to the election of President of the State Bank of Illinois; and upon the vote being taken Elijah C. Berry was duly elected to that office.

The vote was then taken for Directors of the State Bank of Illinois, and James Black, William H. Brown, Robert Blackwell, Robert H. Peebles, Levi Davis,† and Alexander P. Field, were duly elected.

The Senate withdrew.

And the House adjourned.

THURSDAY, FEBRUARY 12, 1835.

House met pursuant to adjournment.

Mr. Cloud, from the committee on Enrolled Bills, reported as correctly enrolled bills of the following titles, viz.

‘An act amending an act creating the county of Tazewell, and the several acts supplemental thereto.’

‘An act to incorporate the subscribers to the Bank of the State of Illinois.’

‘An act to establish a state road from Equality to McLeansboro.’

‘An act in addition to an act supplemental to an act entitled ‘an act to provide for raising a revenue.’

‘An act to locate a state road from Rushville to Monmouth.’

‘An act to amend an act entitled ‘an act to incorporate the Rushville and Beardstown Turnpike Road Company.’

‘An act providing for the security of school funds.’

‘An act to extend for a limited time the charter of the Bank of Illinois at Shawneetown.’

'An act for the benefit of the infant heirs of Robert B. Murphy, late of Perry county, deceased.'

'An act to authorize Aurelia Hotchkiss to sell or exchange a certain tract of land.'

'An act for the incorporation of fire companies.'

'An act to amend an act entitled 'an act to incorporate the St. Clair Turnpike Road Company,' approved Feb. 15, 1833.

'An act to authorize the county commissioners of Edgar county to establish and re-locate a certain road therein mentioned.'

'An act relative to a state road therein named.'

'An act declaring the road from Mount Vernon to Fairfield a state road.'

'An act to amend an act to incorporate the Wabash Navigation Company,' approved Jan. 13, 1825.

'An act to view and lay out a state road from Brownsville, by way of Pinckneyville, to New Nashville, in Washington county.'

'An act to incorporate the town of Lawrenceville.'

'An act to authorize a special election in Sangamon county.'

Mr. Cloud, from the same committee, reported that they had just laid the foregoing bills before the Council of Revision.

A message from the Senate, by Mr. White, their Secretary:

MR. SPEAKER:—I am directed to inform the House of Representatives that the Senate have concurred with them in the passage of bills of the following titles, viz:

'An act concerning the sixteenth section in Equality township, Gallatin county.'

'An act declaring Spoon river a navigable stream.'

They have also concurred with them in the passage of the bill entitled 'An act to provide for the election of county recorders and surveyors;' the objections of the Council of Revision to the contrary notwithstanding.

They have also concurred with them in the passage of bills of the following titles, viz.

'An act to extend the jurisdiction of justices of the peace in certain cases therein named.'

'An act giving justices of the peace jurisdiction in cases of detinue and replevin,' as amended by them, in which amendment they ask the concurrence of the House of Representatives.

They have amended the title of the last named bill so as to read 'An act concerning judgments and executions,' in which

amendment they also ask the concurrence of the House of Representatives.

They have concurred with the House of Representatives in their amendment to the bill from the Senate entitled 'An act to locate a state road from Knoxville to New Boston,' as amended by them; in which amendment of the Senate to the amendment of the House of Representatives, they ask the concurrence of the House of Representatives.

They have refused to concur with the House of Representatives in their amendment to the 2d section of the bill from the Senate entitled 'An act regulating the terms of holding the Supreme and Circuit Courts, and fixing the salaries of the Circuit judges.'

'Also, in their amendment to said bill in relation to the time of holding the Circuit Court in the county of White.

They have concurred with the House of Representatives in their other amendments to said bill, as amended by them; in which amendment of the Senate to the amendment of the House to said bill, they ask the concurrence of the House of Representatives.

They have passed bills of the following titles, viz.

'An act supplementary to the act incorporating the Jacksonville and Meredocia Rail Road Company.'

"An act to provide for transcribing certain records therein named;" and

'An act to amend an act for the organization and government of the militia of this state,' approved March 2d, 1833; in the passage of which they ask the concurrence of the House of Representatives.

They have concurred with the House of Representatives in their amendment to the bill from the Senate entitled 'An act to repeal all laws authorizing the taxing and collecting of the docket fee in any case either at law or in chancery.'

They have also concurred in their amendment to the title of said bill. And he withdrew.

Mr. Dunn from the Committee on the Judiciary to which was referred the bill from the Senate, entitled "An act concerning Evidence," reported a substitute for said bill; which was read; and

On the question will the House agree to said report?

It was decided in the negative; when,

On motion of Mr. Webb,

Said bill was laid upon the table.

Mr. Manly from the select committee, to which was referred the bill from the Senate, entitled "An act for the relief of John G. McDonald and others," reported the same without amendment, and recommended the passage of the bill.

The bill was then ordered to be read the third time.

On motion of Mr. Manly,

The rule of the House was dispensed with, and the bill read the third time by its title.

Mr. Gregory moved the previous question; which motion prevailed.

The question was then put "shall the bill pass."

The yeas and nays being called for on the passage of the bill by Messrs. Carpenter of Hamilton, and Murphy.

Those voting in the affirmative, are

Messrs. Able, Blackwell, Blockburger, Cloud, Cunningham, Dawson, Dougherty, Dunn, Elliott, Ficklin, Fithian, Frazer, Gordon, Gregory, Harreld, Manly, Nunnally, Ross, Rowan, Stuart, Webb, and Wyatt—22.

Those voting in the negative, are

Messrs. Bowyer, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Dubois, Hamlin, Hampton, Henry, Hunt, Hunter, Lincoln, Moore, Murphy, Oliver, Owen, Tunnel, White-side, and Mr. Speaker—18.

So the said bill passed.

Ordered, that the title of the bill be as aforesaid, and that the Clerk inform the Senate thereof.

Mr. Murphy, from the select committee to which was referred the bill from the Senate entitled "An act to locate a road from Golconda in Pope county to Pinckneyville in Perry county," reported the same with an amendment, which was read, and concurred in.

The bill was then ordered to a third reading as amended.

On motion of Mr. Murphy,

The rule of the House was dispensed with, and the bill read the third time by its title, and passed.

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence therein.

The resolution from the Senate relative to a revision of the select laws, was read and concurred in.

Ordered, That the Clerk inform the Senate thereof.

The amendment of the Senate to the bill from the House of Representatives entitled "An act to extend the jurisdiction of

Justices of the Peace in certain cases therein named," was read, when

Mr. Dawson moved to amend the amendment of the Senate by adding the following, viz.:

That each and every head of a family in this state shall be permitted to have and retain free from execution, one work horse or one yoke of work oxen at the option of the defendant in execution in addition to the property now exempted from execution, and any sheriff or other officer selling such property shall be subject to the same liabilities as are provided for similar offences in the act entitled "An act concerning judgments and executions, approved January 17th, 1835."

Upon this amendment Messrs. Dawson, and Hunter called for the yeas and nays.

And those who voted in the affirmative are,

Messrs. Able, Blackwell, Bowyer, Cloud, Dawson, Dunn, Elliott, Fithian, Frazer, Gordon, Hamlin, Henry, Hughes, Hunt, Hunter, Lincoln, Rowan, Stuart, Vandevanter, White-side, Wyatt, and Mr. Speaker—22.

Those who voted in the negative, are

Messrs. Carpenter of Sangamon, Clark, Cunningham, Dougherty, Ficklin, Gregory, Hampton, Harris, Harreld, McGabey, Oliver, Ross, Tunnel, and Webb—14.

So said amendment was adopted.

Mr. Gordon moved further to amend the Senate's amendment by adding at the end thereof the following, viz.:

"This act to take effect and be in force from and after the first day of June next."

Mr. Cunningham moved to refer the whole to a select committee; which was not agreed to.

The question was then taken on Mr. Gordon's amendment: and decided in the negative.

Mr. Carpenter of Sangamon moved further to amend by adding the following, viz.:

"That all widows and unmarried women shall have exempt from execution one hundred dollars of any property they may select"; which amendment was adopted.

Mr. Gregory moved further to amend by adding the following, viz.:

"That in no case shall the tools of any mechanic be subject to execution."

Mr. Webb moved to lay the whole on the table.

Mr. Ross moved the previous question.

The question was then taken upon laying the whole on the table: and decided in the negative.

The question was then taken on Mr. Gregory's amendment, and upon which Messrs. Gregory and Ross calling for the yeas and nays—

Those who voted in the affirmative, are

Messrs. Able, Blackwell, Brown, Butler, Carpenter of Sangamon, Cloud, Cunningham, Dawson, Dunn, Elliott, Ficklin, Fithian, Frazer, Gordon, Gregory, Hackelton, Harris, Henry, Hughes, Hunt, Hunter, Link, M'Gahey, Manly, Moore, Nunnally, Owen, Ross, Rowan, Stuart, Thomas, Vandevanter, Wyatt, and Mr. Speaker—34.

Those who voted in the negative, are

Messrs. Bower, Carpenter of Hamilton, Clark, Dougherty, Hamlin, Hampton, Harreld, Oliver, Tunnel, Webb, and Whiteside—11.

So said amendment was adopted.

The question was then put,

Shall the main question be now put?

And decided in the affirmative.

The question was then put,

Will the House concur in the amendment of the Senate, as amended by this House?

And decided in the affirmative—Messrs. Ficklin and Stuart calling for the yeas and nays.

Those voting in the affirmative, are

Messrs. Able, Blockburger, Brown, Carpenter of Hamilton, Carpenter of Sangamon, Cloud, Dawson, Dunn, Elliott, Ficklin, Fithian, Frazer, Gordon, Gregory, Hackelton, Hamlin, Hunt, Hunter, Lincoln, M'Gahey, Manly, Nunnally, Owen, Stuart, Vandevanter, Webb, Wyatt, and Mr. Speaker—28.

Those who voted in the negative, are

Messrs. Anderson, Blackwell, Bowyer, Butler, Clark, Cunningham, Dougherty, Hampton, Harris, Harreld, Henry, Hughes, Moore, Oliver, Thomas, Tunnel, and Whiteside—17.

Ordered, That the clerk inform the Senate thereof, and ask their concurrence in the amendments of the House to their amendment.

Message from the Senate, by Mr. White, their Secretary:

MR. SPEAKER—I am directed to inform you that the Senate have passed bills of the following titles, viz:

'An act for the benefit of the counties therein named.'

'An act for the benefit of Bank Debtors.'

In the passage of which they ask the concurrence of the House of Representatives.

They have refused to concur with the House of Representatives in their amendment to the bill from the Senate, entitled 'An act establishing a State road therein named.'

They have receded from their amendment to the title of the bill from the House of Representatives, entitled

'An act to amend an act to incorporate the town of Alton.'

They have concurred with the House of Representatives in the passage of the bill, entitled

'An act concerning public officers.'

And he withdrew.

Mr. Gregory, from the committee on Education, to which was referred the petition for the sale of the 16th section, in Town 12 N. R. 3 E. in Knox county, reported adverse to the prayer of the petition; and was discharged from the further consideration of the subject.

The amendment of the Senate to the bill from the House of Representatives, entitled

'An act giving justices of the peace jurisdiction in cases of detinue and replevin,'

Was read; when,

On motion of Mr. Webb,

The same was referred to a select committee.

Ordered, That Messrs. Webb, Stuart, and Ficklin, be that committee.

The amendment of the Senate to the amendment of the House of Representatives, to the bill from the Senate, entitled

'An act to locate a State road from Knoxville to New Boston,'

Was read and concurred in.

Ordered, That the Clerk inform the Senate thereof.

The amendments of the Senate to the amendments of the House, to the bill from the Senate, entitled

'An act regulating the terms of holding the Supreme and Circuit Courts, and fixing the salaries of the Circuit Judges,'

Were read and concurred in.

The House then receded from their amendment in relation to the time of holding the Circuit Court in the county of White.

The question was then put, Will the House recede from their amendment to said bill, fixing the salary of the Circuit Judges at \$700?

And the yeas and nays being called for on this question, by Messrs. Hampton and Carpenter of Hamilton,

Those voting in the affirmative, are

Messrs. Anderson, Blackwell, Brown, Dougherty, Dunn, Elliott, Ficklin, Fithian, Frazer, Gregory, Hamlin, Henry, Hunt, Lincoln, Manly, Rowan, Stuart, Thomas, Trower, and Webb—20.

Those voting in the negative, are

Messrs. Blockburgher, Bowyer, Butler, Carpenter, of Hamilton, Carpenter, of Sangamon, Clark, Cloud, Cunningham, Dawson, Gordon, Hampton, Harris, Harreld, Hughes, Hunter, McGahey, Moore, Murphy, Nunnally, Oliver, Owen, Tunnel, Whiteside, Wren, Wyatt, and Mr. Speaker—26.

So the House refused to recede from said amendment.

Ordered, That the Clerk inform the Senate thereof.

The bill from the Senate, entitled

‘An act to provide for transcribing certain records therein named,’

Was read the first time, and

Ordered to a second reading.

On motion of Mr. Owen,

The rule of the House was dispensed with, and the bill read the second time by its title, and

On the further motion of Mr. Owen,

Referred to a select committee.

Ordered, That Messrs. Owen, Ross, and Vandevanter, be that committee.

The bill from the Senate, entitled

‘An act to amend an act for the organization and government of the militia of this State, approved March 2d, 1833,’

Was read the first time, and

Ordered to a second reading.

On motion of Mr. Dunn,

The rule of the House was dispensed with, and the bill read the second time by its title, and

On the further motion of Mr. Dunn,

Referred to a select committee.

Ordered, That Messrs. Dunn, Harris, and Hughes, be that committee.

The bill from the Senate, entitled

‘An act supplementary to the act incorporating the Jacksonville and Meredocia Rail Road,’

Was read the first time, and

Ordered to a second reading.

On motion of Mr. Cloud,

The rule of the House was dispensed with, and the bill read the second time by its title, and

On motion of Mr. Henry,

Referred to a select committee.

Ordered, That Messrs. Henry, Gordon, and Oliver, be that committee.

The bill from the Senate, entitled

‘An act for the benefit of the counties therein named,’

Was read the first time, and

Ordered to a second reading.

On motion of Mr. Whiteside,

The rule of the House was dispensed with, and the bill read the second time by its title, and

On motion of Mr. Stuart,

Referred to a select committee.

Ordered, That Messrs. Stuart, Whiteside, and Hughes, be that committee.

The bill from the Senate, entitled

‘An act for the benefit of Bank Debtors,’

Was read the first time, and

Ordered to a second reading, and

On motion of Mr. Webb,

The rule of the House was dispensed with, and the bill read the second time by its title.

On motion of Mr. Webb,

The bill was amended by adding after the word “Cashiers,” in the first section of the bill, the following, viz: “and purchasers of Bank property.”

The bill was then ordered to the third reading as amended.

On motion of Mr. Dougherty,

The rule of the house was dispensed with, and the bill read the third time by its title, and passed as amended.

The yeas and nays being called for by Messrs. Cloud and Frazer on the passage of the bill, those who voted in the affirmative are,

Messrs. Blackwell, Brown, Butler, Clark, Dawson, Dougherty, Dunn, Elliott, Fithian, Hamlin, Harris, Harreld, Hunt, Lincoln, Oliver, Owen, Stuart, Thomas, Trower, Webb, and Whiteside. .21.

Those who voted in the negative, are,

Messrs. Anderson, Carpenter of Sangamon, Cloud, Cuning-

ham, Ficklin, Frazer, Gordon, Hampton, Henry, Hughes, Hunter, McGahey, Moore, Nunnally, Vandevanter, Wren, Wyatt, and Mr. Speaker. 18.

Ordered, That the title of the bill be as aforesaid—that the Clerk inform the Senate thereof, and ask their concurrence in the amendment of the House thereto.

Mr. Rowan moved that the house adjourn until 2, P. M., Which was not agreed to.

The house then receded from their amendment to the bill, entitled 'An act establishing a State road therein named.'

Ordered, That the clerk inform the Senate thereof.

The bill from the Senate entitled, 'An act to amend an act to license and regulate taverns,'

Was read the third time, and passed.

Ordered, That the title of the bill be as aforesaid, and that the Clerk inform the Senate thereof.

The engrossed bill entitled 'An act for the purposes therein mentioned,' was read the third time; when

Mr. McGahey moved to amend the bill by adding the following:

'And also the sum of two hundred dollars to the county of Jasper.'

Mr. Blackwell moved to amend the amendment by adding the following:

'One hundred dollars to the county of Effingham.'

Which was not agreed to.

Mr. Blockburger moved to amend the amendment by adding the following:

'And also the sum of two hundred dollars to the county of Montgomery, to be appropriated under the direction of the county commissioners' court of said county, to be appropriated to the building of a bridge or bridges in the said county of Montgomery.'

Mr. Hughes moved the previous question.

The question was then taken on Mr. Blockburger's amendment, and decided in the negative.

The question was then taken on the motion of Mr. McGahey, and decided in the negative.

The question was then put, 'Shall the main question be now put?' and decided in the affirmative.

The bill then passed.

The Yeas and Nays being called for on the passage of this bill by Messrs. Blackwell and Blockburger,

Those voting in the affirmative, are

Messrs. Butler, Carpenter of Hamilton, Clark, Cloud, Elliott, Fithian, Gordon, Hamlin, Harris, Harreld, Henry, Hughes, Moore, Murphy, Owen, Stuart, Thomas, Thompson, Tunnel, Vandevanter, Whiteside, Wren, Wyatt, and Mr. Speaker—24.

Those who voted in the negative, are

Messrs. Able, Blackwell, Blockburger, Cunningham, Dougherty, Ficklin, Frazer, Hunt, Hunter, Lincoln, McGahey, Oliver, and Trawn—13.

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence therein.

The House then adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met, pursuant to adjournment.

Mr. Cloud from the committee on Enrolled Bills reported as correctly enrolled bills of the following titles, viz.:

"An act to remove the seat of justice of Adams county."

"An act for the relief of the person therein named."

"An act declaring Spoon river a navigable stream."

"An act concerning the 16th Section in Equality township, Gallatin county."

"An act to ascertain the county line between the counties of Morgan and Sangamon."

"An act supplemental to 'An act to provide for the election of county Recorders and Surveyors.'"

"An act to change a part of the state road leading from Vandalia to Golconda and for other purposes."

"An act to amend an act to license and regulate taverns."

"An act to lay out a road from Blair's Ferry to Frankfort, and for other purposes."

"An act for the relief of John G. McDonald and others."

"An act permanently to locate the seat of justice of Randolph county."

"An act to establish the county seat of Rock Island county."

"An act to provide for the election of Justices of the Peace, and Constables therein named."

"An act to amend an act concerning the trustees of Shawneetown."

Mr. Cloud from the same committee reported, that they had laid before the Council of Revision the foregoing bills.

Mr. Dunn from the select committee to which was referred the bill entitled "An act for the relief of the persons therein named," reported the same with an amendment; which was read and concurred in.

Ordered to be engrossed for a third reading.

On motion of Mr. Dunn,

The rule of the House was dispensed with, and the bill read the third time by its title and passed.

On motion of Mr. Dunn,

The title of the bill was amended so as to read "An act supplemental to 'An act changing the county line between Franklin and Perry counties,' and for other purposes."

Ordered, That the title of the bill be as amended, that the Clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Henry from the select committee to which was referred the bill from the Senate entitled "An act supplementary to the act incorporating the Jacksonville and Meredocia rail road," reported the same without amendment.

Ordered, That the bill be read the third time.

On motion of Mr. Henry,

The rule of the House was dispensed with, and the bill read the third time by its title and passed.

Ordered, That the title of the bill be as aforesaid, and that the Clerk inform the Senate thereof.

A message from the Council of Revision by Mr. Brown, their Secretary:

Mr. SPEAKER:—The Council of Revision have approved bills of the following titles, viz.:

"An act providing for the security of the school fund."

"An act to establish a state road from Equality to McLeansboro'."

"An act amending 'An act creating the county of Tazewell, and the several acts supplemental thereto.'"

"An act to amend an act entitled 'An act to incorporate the Rushville and Beardstown road company.'"

"An act in addition to an act supplemental to an act entitled 'An act to provide for raising a revenue.'"

"An act to view and lay out a state road from Brownsville by way of Pinckneyville to New Nashville in Washington county."

"An act to locate a state road from Rushville to Monmouth."

"An act for the incorporation of Fire Companies."

"An act to incorporate the town of Lawrenceville."

"An act to amend an act entitled 'An act to incorporate the St. Clair turnpike road Company, approved February 15th, 1833.'"

"An act to amend 'an act to incorporate the Wabash navigation company, approved January 13th, 1825.'"

"An act relative to a state road therein named."

"An act declaring the road from Mount Vernon to Fairfield a state road."

"An act to authorize the county Commissioners of Edgar county to establish and relocate a certain road therein mentioned."

"An act to authorize a special election in Sangamon county."

"An act to extend for a limited time the charter of the Bank of Illinois at Shawneetown."

"An act to incorporate the subscribers to the Bank of the state of Illinois," and

"An act to incorporate the Alton Hotel Company."

And he withdrew.

A message from the Senate by Mr. White, their Secretary.

Mr. SPEAKER:—I am directed to inform the House of Representatives that the Senate have refused to recede from their vote of non concurrence in the amendment of the House of Representatives to the 2d section of the bill entitled 'An act regulating the terms of holding the Supreme and Circuit Courts, and fixing the salary of the Circuit judges.'—They ask for a committee of conference on the disagreeing vote of the two houses in relation to said bill, and have appointed Messrs. Mather and Snyder the committee on their part."

And he withdrew.

Mr. Dunn from the select committee to which was referred the bill from the Senate entitled "An act to amend an act for the organization and government of the militia of this state, approved March 2d, 1833", reported the same with an amendment by striking out the 4th and 5th sections of the bill.

A division being called for:

The question was taken separately on striking out each section: and decided in the affirmative.

Mr. Dawson moved to lay the bill on the table; which was not agreed to.

Ordered to a third reading as amended.

On motion of Mr. Gregory,

The rule of the House was dispensed with, and the bill read the third time by its title as amended; and passed.

Ordered, That the title of the bill be as aforesaid, that the Clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Stuart from the select committee to which was referred the bill from the Senate entitled "An act for the benefit of the counties therein named," reported the same with an amendment; which was read; when

Mr. Frazer moved to amend the amendment by adding the following, viz.:

"To the county of Marion two hundred dollars to be appropriated to internal improvements by the county Commissioners of said county"; which was agreed to.

The amendment as amended was then agreed to.

The bill was then *ordered* to a third reading as amended.

On motion of Mr. Moore,

The rule of the House was dispensed with, and the bill read the third time by its title, and passed as amended.

The yeas and nays being called for on the passage of this bill by Messrs. Whiteside and Hunter,

Those who voted in the affirmative, are

Messrs. Able, Blackwell, Bowyer, Brown, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Cloud, Dawson, Dunn, Elliott, Ficklin, Fithian, Frazer, Gordon, Hamlin, Harris, Harreld, Henry, Hughes, Hunt, Lincoln, McGahey, Moore, Murphy, Owen, Stuart, Thomas, Tunnel, Vandevanter, Webb, Whiteside, Wyatt, and Mr. Speaker—34.

Those who voted in the negative, are

Messrs. Anderson, Clark, Cunningham, Gregory, Hunter, Oliver, Ross, and Trower—8.

Ordered, That the title of the bill be as aforesaid—that the clerk inform the Senate thereof, and ask their concurrence therein.

Message from the Senate by Mr. White, their Secretary:

MR. SPEAKER—I am directed to inform the House of Representatives that the Senate have passed a bill of the following title, viz:

"An act supplemental to an act, entitled an act to incorporate the subscribers to the Bank of the State of Illinois;" in the passage of which they ask the concurrence of the House of Representatives.

And he withdrew.

Mr. Harreld moved that the House re-consider the vote taken on the passage of the bill, entitled 'An act for the benefit of the counties therein named,' which was not agreed to.

Message from the Senate by Mr. White, their Secretary:

Mr. SPEAKER—The Senate have concurred with the House of Representatives in the passage of the bill, entitled 'An act supplemental to an act concerning the county of Fulton, approved, Feb. 25th, 1833.'

And he withdrew.

The engrossed bill, entitled 'An act to amend an act, entitled an act relative to the duties of the office of Attorney General of this State,' was read the third time, and

On motion of Mr. Webb,

Laid upon the table.

Mr. Owen, from the select committee to which was referred the bill from the Senate, entitled 'An act to provide for transcribing certain records therein named,' reported the same with sundry amendments, which were read and concurred in.

Ordered to a third reading as amended.

On motion of Mr. Hackelton,

The rule of the House was dispensed with, and the bill read the third time by its title, and passed as amended.

Ordered, That the title of the bill be as aforesaid—that the clerk inform the Senate thereof, and ask their concurrence therein.

On motion of Mr. Gregory,

A committee of conference was appointed in pursuance of the request of the Senate on the disagreeing vote of the two Houses, on the bill entitled 'An act regulating the terms of holding the Supreme and Circuit Courts, and fixing the salaries of the Circuit Judges.'

Ordered, That Messrs. Elliott, Hughes, and Nunnally, be that committee, and that the clerk inform the Senate thereof.

Mr. Dunn, from the committee on the Judiciary to which was referred the bill, entitled 'An act concerning Judgments and Executions,' and the objections of the Council to the same becoming a law, reported the same without amendment, and recommended a rejection of the bill.

On motion of Mr. Cloud,

The same was laid upon the table.

The bill from the Senate, entitled 'An act supplemental to

act, entitled an act to incorporate the subscribers to the Bank of the State of Illinois,' was read the first time, and

Ordered to a second reading.

On motion of Mr. Rowan,

The rule of the House was dispensed with, and the bill read the second time by its title.

Mr. Webb moved to amend the bill by striking out the word 'Bank' after the word 'State,' and insert 'Bank' before the word 'State.'

Mr. Moore moved to amend the amendment by adding the following, viz:

'That said Bank shall not be permitted to charge or receive interest at a higher rate than six per per cent. per annum for a loan, discount, or in any manner whatever, any thing in the Act to which this is a supplement, to the contrary notwithstanding.'

Mr. Dawson moved the previous question.

The question was then taken on Mr. Moore's amendment; and the Yeas and Nays being called for by Messrs. Stuart and Henry,

Those voting in the affirmative, are

Messrs. Able, Anderson, Blackwell, Bowyer, Brown, Butler, Carpenter of Hamilton, Cloud, Cunningham, Dubois, Elliott, Fithian, Gordon, Gregory, Hackelton, Hamlin, Hampton, Harris, Harreld, Henry, Hughes, Hunt, Hunter, McGahey, Moore, Nunnally, Oliver, Rowan, Stuart, Tunnel, Webb, Wyatt, and Mr. Speaker—33.

Those voting in the negative, are

Messrs. Carpenter of Sangamon, Clark, Dawson, Dunn, Frazer, Owen, Ross, Thomas, Vandevanter, and Whiteside—10.

So said amendment was adopted.

The question was then taken on the amendment as amended.

The Yeas and Nays being called for by Messrs. Webb and Henry,

Those who voted in the affirmative, are

Messrs. Able, Anderson, Blackwell, Bowyer, Brown, Butler, Carpenter of Hamilton, Cloud, Cunningham, Dubois, Elliott, Fithian, Gordon, Gregory, Henry, Hughes, Hunt, Hunter, McGahey, Moore, Nunnally, Oliver, Rowan, Stuart, Tunnel, Webb, Wyatt, and Mr. Speaker—28.

Those who voted in the negative, are

Messrs. Blockburger, Carpenter of Sangamon, Clark, Dawson, Dunn, Frazer, Hackelton, Hamlin, Hampton, Harris, Harreld, Owen, Ross, Thomas, Trower, and Vandevanter—16.

So said amendment as amended was adopted.

The question was then put, shall the bill be read the third time as amended? and passed in the affirmative.

The Yeas and Nays being called for by Messrs. Stuart and Nunnally upon this question,

Those voting in the affirmative, are

Messrs. Able, Anderson, Blackwell, Bowyer, Butler, Carpenter of Hamilton, Cloud, Cunningham, Dubois, Elliott, Fithian, Gordon, Gregory, Hackelton, Hampton, Harris, Harreld, Henry, Hughes, Hunter, Moore, Nunnally, Oliver, Rowan, Stuart, Tunnel, Webb, Wyatt, and Mr. Speaker—29.

Those who voted in the negative, are

Messrs. Blockburger, Brown, Carpenter of Sangamon, Clark, Dawson, Dunn, Frazer, Hamlin, Hunt, McGahey, Owen, Ross, Thomas, Trower, Vandevanter, and Whiteside 16.

Mr. Rowan moved that the rule of the House be dispensed with, and the bill read the third time by its title, which was not agreed to.

On motion of Mr. Gregory,

The resolution relative to the adjournment of the present General Assembly, was taken up.

Mr. Gregory moved to amend the resolution by striking out 'Thursday, 4 P. M.,' and insert 'Friday, 11 A. M.'

Mr. Webb moved to amend the amendment by inserting 'Saturday, 10 A. M.' which was not agreed to.

The question was then taken on Mr. Gregory's amendment, and decided in the affirmative.

Mr. Nunnally moved to insert '4 P. M.' which was not agreed to.

The resolution as amended, was then adopted.

Ordered, That the clerk inform the Senate thereof, and ask their concurrence therein.

On motion of Mr. Hackelton,

Leave of absence was granted to Mr. Dubois during the remainder of the session.

The House then adjourned until 6 o'clock, P. M.

6 o'clock, P. M.

House met pursuant to adjournment.

Message from the Senate by Mr. White, their Secretary:

Mr. SPEAKER—I am directed to inform the House of Representatives that the Senate have concurred with them in the passage of the bill, entitled 'An act for the relief of the poor,' approved, March 1st, 1833.

They have also concurred with them in the passage of the bill, entitled 'An act providing compensation for Grand and Petit Jurors,' as amended by them; in which amendment they ask the concurrence of the House of Representatives.

They have amended the title of said bill so as to read, 'An act for the relief of John Robb,' in which amendment they ask the concurrence of the House of Representatives.

And he withdrew.

Message from the Council by Mr. Brown, their Secretary:

Mr. SPEAKER—The Council of Revision have approved bills of the following titles, viz:

'An act for the relief of a person therein named;'

'An act declaring Spoon river a navigable stream;'

'An act to establish the county seat of Rock Island county;'

'An act to lay out a road from Blair's ferry to Frankfort, and for other purposes;'

'An act permanently to locate the seat of Justice of Randolph county;'

'An act for the relief of John G. McDonald and others;'

'An act to provide for the election of Justices of the Peace and Constables therein named;'

'An act concerning the 16th section in Equality township, Gallatin county;'

'An act to remove the seat of Justice of Adams county;'

'An act to ascertain the county line between the counties of Morgan and Sangamon;'

'An act to amend an act to license and regulate taverns;'

'An act to amend an act concerning the trustees of Shawneetown;'

'An act to change a part of the State road leading from Vandalia to Golconda, and for other purposes;'

And then he withdrew.

On motion of Mr. Hamlin,

The bill entitled 'An act for the benefit of James Walker,' was then taken up, and amended,

On motion of Mr. Hughes, by striking out \$50.

Mr. Dougherty moved to amend by striking out the words 'lot or lots in the town of Ottawa,' and insert the words 'out of the State Treasury;' which was not agreed to.

The question was then put, 'shall the bill pass? and decided in the negative. Yeas 21—Nays 24.

The Yeas and Nays being called for by Messrs. Dougherty and Bowyer,

Those who voted in the affirmative, are

Messrs. Able, Anderson, Blackwell, Brown, Carpenter of Hamilton, Clark, Dubois, Dunn, Elliott, Fithian, Gregory, Hamlin, Hampton, Harris, Henry, Hughes, Hunter, Moore, Rowan, Webb, and Wyatt—21.

Those who voted in the negative, are

Messrs. Blockburger, Bowyer, Butler, Carpenter of Sangamon, Cunningham, Dawson, Dougherty, Frazer, Hackelton, Harreld, Hunt, Lincoln, McGahey, Nunnally, Oliver, Owen, Ross, Stuart, Thomas, Tunnel, Vandevanter, White-side, Wren, and Mr. Speaker—24.

On motion of Mr. Gregory,

Mr. Hunt had leave of absence for the remainder of the session.

The amendment of the Senate to the bill from the House of Representatives, entitled 'An act providing compensation for Grand and Petit Jurors,' was read, when

Mr. Carpenter of Hamilton, moved to amend the Senate's amendment, by adding the following, viz:

'And that the Auditor of Public Accounts is hereby requested to draw his warrant on the Treasurer in favor of said Robb for the sum of five hundred dollars.'

Mr. Gregory moved to lay all on the table, which was not agreed to.

The question was then put upon the amendment of Mr. Carpenter of Hamilton: and decided in the negative.

Messrs. Lincoln and Gordon calling for the yeas and nays on this question.

Those voting in the affirmative, are

Messrs. Brown, Carpenter of Hamilton, Gregory, McGahey, and Mr. Speaker—5.

Those voting in the negative, are

Messrs. Anderson, Blackwell, Blockburger, Bowyer, Butler, Carpenter of Sangamon, Clark, Cunningham, Dawson, Dougherty, Dubois, Dunn, Elliott, Fithian, Frazer, Gordon, Hackel-

ton, Hamlin, Hampton, Harris, Harreld, Henry, Hughes, Hunter, Lincoln, Moore, Nunnally, Oliver, Owen, Ross, Rowan, Stuart, Thomas, Tunnel, Vandevanter, Webb, Whiteside, Wren, and Wyatt—39.

On the question, will the House concur in the amendment of the Senate to said bill?

It was decided in the affirmative; yeas 27, nays 19.

The yeas and nays being called for by Messrs. Carpenter of Hamilton, and Lincoln upon this question.

Those who voted in the affirmative, are

Messrs. Blackwell, Blockburger, Brown, Cloud, Dawson, Dubois, Dunn, Elliott, Fithian, Frazer, Gordon, Hackelton, Hamlin, Henry, Hughes, Hunter, Lincoln, Moore, Nunnally, Oliver, Owen, Ross, Rowan, Vandevanter, Webb, Whiteside, and Wyatt—27.

Those who voted in the negative, are

Messrs. Anderson, Bowyer, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cunningham, Dougherty, Gregory, Hampton, Harris, Harreld, McGahey, Murphy, Stuart, Thomas, Tunnel, Wren, and Mr. Speaker—19.

Mr. Carpenter of Hamilton moved to amend the Senate's amendment to the title of said bill so as to read "An act to encourage manslaughter:" which was decided in the negative; yeas 7, nays 38.

The yeas and nays being called for by Messrs. Nunnally and Dubois,

Those who voted in the affirmative, were

Messrs. Bowyer, Carpenter of Hamilton, Clark, Hampton, Harris, Tunnel, and Mr. Speaker—7.

Those who voted in the negative, were

Messrs. Anderson, Blackwell, Blockburger, Brown, Butler, Cloud, Cunningham, Dawson, Dougherty, Dubois, Dunn, Elliott, Fithian, Frazer, Gordon, Gregory, Hackelton, Hamlin, Harreld, Henry, Hughes, Hunter, Lincoln, McGahey, Moore, Murphy, Nunnally, Oliver, Owen, Ross, Rowan, Stuart, Thomas, Vandevanter, Webb, Whiteside, Wren, and Wyatt—38.

The amendment of the Senate to the title of said bill was then concurred in.

Ordered, That the Clerk inform the Senate thereof.

A message from the Senate by Mr. White, their Secretary.

MR. SPEAKER:—I am directed to inform the House of Representatives that the Senate have passed bills of the following titles, viz.:

"An act relating to the residuum of the Vermilion Saline Lands."—"An act concerning the lessees of the Gallatin Saline reserve", and "An act relating to the sale of the Gallatin Saline Lands," in the passage of which they ask the concurrence of the House of Representatives.

They have concurred with the House of Representatives in their amendment to the bill from the Senate entitled "An act to amend an act prescribing the mode of summoning Grand and Petit Jurors, and defining their qualifications and duties;"—And he withdrew.

Another message from the Senate by Mr. Davis, their assistant Secretary.

"MR. SPEAKER:—The Senate directed me to inform the House of Representatives, that they have concurred with them in their amendments to the bill for "An act for the benefit of the counties therein named," as amended by them, in which amendments to the amendment of the House, they ask the concurrence of the House of Representatives." And he withdrew.

Mr. Cloud from the committee on Enrolled Bills reported as correctly enrolled bills of the following titles, viz.:

"An act to amend 'An act to incorporate the town of Alton.'"

"An act concerning public officers."

"An act to locate a state road from Frankfort in Franklin county by way of Vienna in Johnson county to the Ohio river."

"An act to locate a state road from Nashville to New Boston."

"An act supplementary to the Act incorporating the Jacksonville and Meredocia rail road company."

"An act supplemental to "an act concerning the county of Fulton, approved February 25, 1833."

"An act regulating the terms of holding the Supreme and Circuit Courts, and fixing the salary of the Circuit judges."

The amendments of the Senate to the amendments of the House to the bill entitled "An act for the benefit of the counties therein named" were read, when,

On motion of Mr. Hunter,

The amendments of the Senate were amended by adding after the word "Marion" the words "And to the county of Bond the sum of one hundred dollars."

The amendments of the Senate as amended were then concurred in.

Ordered, That the Clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Elliott from the committee of conference on the disagree-

ing vote of the two Houses on the bill entitled "An act regulating the terms of holding the Supreme and Circuit Courts, and fixing the salary of the Circuit judges," reported that they had agreed and fixed the salary at \$ 750 per annum; which was concurred in.

Ordered, That the Clerk inform the Senate thereof.

On motion of Mr. Blackwell,

Resolved by the Senate and House of Representatives, that the Attorney General of this state be authorized to occupy the south room on the second floor of the state House as his office, and that said room be appropriated exclusively to that purpose."

Ordered, That the Clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Webb from the select committee to which was referred the amendments of the Senate to the bill entitled "An act giving justices of the Peace jurisdiction in cases of detinue and replevin," reported the same with an amendment; which was read and concurred in.

The amendments of the Senate as amended were then concurred in.

Ordered, That the Clerk inform the Senate thereof, and ask their concurrence therein.

The bill from the Senate entitled "An act relative to the residuum of the Vermilion Saline lands," was read the first time, and

Ordered to a second reading.

On motion of Mr. Bowyer,

The rule of the House was dispensed with, and the bill read the second time by its title.

Mr. Dawson moved to amend the bill by adding the following, viz.:

"That all the lands now belonging to the State of the Vermilion reserve of the saline lands be sold and the proceeds thereof added to the school fund."

Mr. Gregory moved to amend the amendment by adding the following, viz.:

"To the county of Greene one half section, the proceeds thereof to be appropriated to purposes of internal improvement, under direction of the county Commissioners of said county," when,

On motion of Mr. Blockburger,

The bill and proposed amendments were referred to a select committee of five.

Ordered, That Messrs. Blockburger, Murphy, Stuart, McGahay, and Hackelton be that committee.

And then the House adjourned.

FRIDAY, *February 13, 1835.*

House met, pursuant to adjournment.

Mr. Cloud from the committee on Enrolled Bills, report that they have this day laid before the Council of Revision bills of the following titles, viz :

“An act to amend ‘An act to incorporate the town of Alton.’”

“An act concerning public officers.”

“An act to locate a state road from Frankfort in Franklin county by way of Vienna in Johnson county to the Ohio river.”

“An act to locate a state road from Knoxville to New Boston.”

“An act supplementary to the act incorporating the Jacksonville and Meredocia rail road company.”

“An act supplemental to ‘An act concerning the county of Fulton, approved February 25, 1833.’”

“An act regulating the terms of holding the Supreme and Circuit Courts, and fixing the salary of the Circuit judges.”

Mr. Cloud from the same committee reported as correctly enrolled bills of the following titles, viz.:

“An act for the benefit of Bank debtors.”

“An act to amend ‘An act prescribing the mode of summoning Grand and Petit Jurors, and defining their qualifications and duties.’”

“An act to locate a road from Golconda in Pope county to Pinckneyville in Perry county;” and

“An act for the relief of John Robb.”

On motion of Mr. Wyatt,

Resolved, That the public printer be required to print one hundred copies of the law passed at the present session of the Legislature, entitled “An act to incorporate the subscribers to the Bank of the State of Illinois:” and also of the “Act to extend for a limited time the charter of the Bank of Illinois at Shawneetown” for the use of the members of the Legislature.

The bill from the Senate entitled “An act concerning the

less of the Gannett Saline Reserve," was read the first time, and

Ordered to a second reading.

On motion of Mr. Rowan,

The rule of the House was dispensed with, and the bill read the second time by its title, and

Ordered to a third reading.

On motion of Mr. Dunn,

The rule of the House was further dispensed with, and the bill read the third time by its title and passed.

The yeas and nays being called for by Messrs. Hughes and Carpenter of Sangamon on the passage of the bill.

Those who voted in the affirmative, were

Messrs. Able, Anderson, Blackwell, Brown, Dubois, Dunn, Elliott, Hampton, Harris, Henry, Oliver, Owen, Rowan, Stuart, Thompson, Trower, Tunnel, Vandevanter, and Webb—19.

Those who voted in the negative, were

Messrs. Bowyer, Butler, Carpenter of Sangamon, Clark, Cloud, Dawson, Dougherty, Ficklin, Frazer, Gordon, Gregory, Harreld, Hughes, Lincoln, McGahey, Moore, Whiteside, and Mr. Speaker—18.

Ordered, That the title of the bill be as aforesaid, and that the Clerk inform the Senate thereof.

A message from the Senate by Mr. White, their Secretary.

MR. SPEAKER:—I am directed to inform the House of Representatives, that the Senate have adopted the following resolutions, viz.:

Resolved by the Senate and House of Representatives, That hereafter the southern room above stairs in the state house, now occupied by the Secretary of the Senate, shall be set apart as an office for the Attorney General of the State, except during the session of the Legislature.

Resolved, That no part of the state house shall hereafter be occupied as a printing office.

In the adoption of which they ask the concurrence of the House of Representatives.

They have concurred with the House of Representatives in the adoption of the resolution "relative to the meeting of the General Assembly in December next."

They have also concurred with the House of Representatives in the adoption of the resolution "fixing upon Friday, the 13th instant, for the adjournment of the present General Assembly," as amended by them.

Amend as follows:—Strike out the words “11 o’clock, A. M.” in which amendment they ask the concurrence of the House of Representatives.

They have concurred with the House of Representatives in their amendment to the bill from the Senate entitled “An act to locate a road from Golconda, in Pope county, to Pinckneyville, in Perry county.”

They have concurred in the report of the Committee of Conference on the disagreeing vote of the two Houses in relation to the amendment of the second section of the bill entitled “An act regulating the terms of holding the Supreme and Circuit Courts, and fixing the salaries of the Circuit Judges.”

They do not concur with the House of Representatives in their amendment to the amendment of the Senate to the bill from the House of Representatives entitled “An act to extend the jurisdiction of Justices of the Peace in certain cases therein named.”

They have concurred with the House of Representatives in their amendment to the bill from the Senate entitled “An act for the relief of bank debtors.”

They refuse to concur with the House of Representatives in their amendments to the bill from the Senate entitled “An act to amend an act for the organization and government of the militia of this state,” approved March 2d, 1833.

They have receded from their vote of non-concurrence in the amendment of the House of Representatives to the bill from the Senate entitled “An act to establish a state road therein named,” and have concurred with the House of Representatives in their amendment to said bill.

They have rejected the bill from the House of Representatives entitled “An act supplemental to an act changing the county line between Franklin and Perry counties.”

They have concurred with the House of Representatives in the passage of a bill entitled “An act for the purposes therein named,” as amended by them; in which amendment they ask the concurrence of the House of Representatives.

And he withdrew.

The Speaker laid before the House the following communication, viz.

VANDALIA, FEB. 12, 1835.

DEAR SIR,

Having been elected Judge of Probate for the county of

Greene, I hereby resign my seat as a member of the House of Representatives from the county of Greene.

I have the honer to be your ob't. serv't.

LEWIS W. LINK.

HON. JAMES SEMPLE,

Speaker of the House of Representatives.

Which was read, and,

On motion of Mr. Whiteside,

Laid upon the table.

The bill from the Senate entitled "An act relating to the sale of the Gallatin Saline Lands,"

Was read the first time, and

Ordered to a second reading; and

On motion of Mr. Hampton,

The rule of the House was dispensed with, and the bill read the second time by its title.

Mr. Hughes moved to lay the bill upon the table until the 4th day of July next.

Which was agreed to. Yeas 26—Nays 14.

The yeas and nays being called for on this motion by Messrs. Nunnally and Clark,

Those who voted in the affirmative, are

Messrs. Anderson, Blackwell, Blockburger, Bowyer, Butler, Carpenter of Sangamon, Cloud, Dawson, Elliott, Fithian, Frazer, Gordon, Hackelton, Harreld, Henry, Hughes, Hunter, Lincoln, M'Gahey, Moore, Nunnally, Thompson, Tunnel, Whiteside, Wyatt, and Mr. Speaker—26.

Those who voted in the negative, are

Messrs. Carpenter of Hamilton, Clark, Dougherty, Dubois, Dunn, Ficklin, Hampton, Harris, Oliver, Ross, Rowan, Stuart, Vandevanter, and Webb—14.

Message from the Senate, by Mr. Davis, assistant Secretary.

MR. SPEAKER:—I am directed to inform the House of Representatives that the Senate have concurred with them in their amendment to the bill from the Senate entitled "An act to provide for transcribing certain records therein named," as amended by them; in which amendment to the amendment of the House of Representatives they ask the concurrence of the House of Representatives.

And he withdrew.

Another message from the Senate, by Mr. White, their Secretary.

MR. SPEAKER:—I am directed to inform the House of Representatives that the Senate have concurred with them in their amendment to the amendment of the Senate to the amendment of the House of Representatives to the bill from the Senate entitled "An act for the benefit of the counties therein named."

They have passed bills of the following titles, viz.

"An act fixing the compensation of the Commissioner for selling the Gallatin Saline Lands;" and

"An act relating to the Superintendent of the Gallatin county Saline, and for other purposes;" in the passage of which they ask the concurrence of the House of Representatives.

And he withdrew.

Mr. Cloud, from the committee on Enrolled Bills, reported that they this day laid before the Council of Revision, bills of the following titles, viz.

"An act to amend an act prescribing the mode of summoning grand and petit jurors, and defining their qualifications and duties."

"An act for the benefit of bank debtors."

"An act to locate a road from Golconda, in Pope county, to Pinckneyville, in Perry county."

"An act for the relief of John Robb."

The House receded from their amendments to the amendment of the Senate to the bill from the House of Representatives entitled "An act to extend the jurisdiction of justices of the peace in certain cases therein named."

Ordered, That the Clerk inform the Senate thereof.

On motion of Mr. Wyatt,

The bill, with the amendments, entitled "An act to amend an act for the organization and government of the militia of this state," approved March 2, 1833, was laid upon the table.

The amendment of the Senate to the bill from the House of Representatives entitled "An act for the purposes therein named," was read and concurred in.

Ordered that the clerk inform the Senate thereof.

The resolutions from the Senate relative to the Attorney General occupying a room in the state House, &c. were read and concurred in.

Ordered that the clerk inform the Senate thereof.

The amendment of the Senate to the resolution from the House of Representatives relative to the adjournment of the present General Assembly, was considered; when

Mr. Blockburger moved to lay the same on the table.

Which was not agreed to.

The amendment was then concurred in.

Ordered that the Clerk inform the Senate thereof.

The amendment of the Senate to the amendment of the House of Representatives to the bill entitled "An act to provide for transcribing certain records therein named," was read and concurred in.

Ordered that the clerk inform the Senate thereof.

The bill from the Senate entitled "An act relative to the Superintendent of the Gallatin county Saline, and for other purposes;"

Was read the first time, and

Ordered to a second reading.

On motion of Mr. Clark,

The rule of the House was dispensed with, and the bill read the second time by its title, and

Ordered to a third reading.

On motion of Mr. Webb,

The rule of the House was dispensed with, and the bill read the third time by its title, and passed.

Ordered, That the title of the bill be as aforesaid, and that the clerk inform the Senate thereof.

Message from the Senate by Mr. Mather, a Senator:

Mr. SPEAKER—I am directed to inform the House of Representatives that the Senate have concurred with them in their amendments to the bill for 'An act making appropriations for the years 1835 and 1836,' as amended by them; in which amendments they ask the concurrence of the House of Representatives. And then he withdrew.

Mr. Blockburger, from the select committee to which was referred the bill, with the proposed amendments, entitled 'An act relating to the residuum of the Vermilion Saline lands,' reported the same without amendment, and recommended a rejection of the bill.

Mr. Webb moved the previous question, which prevailed.

The bill was then ordered to a third reading.

The amendments offered yesterday, were withdrawn.

Mr. Dougherty moved to dispense with the rule of the House, and read the bill a third time now, and by its title; which was not agreed to.

Mr. Clark moved to dispense with the rule, and read the bill a third time now; which was not agreed to.

Message from the Senate by Mr. White, their Secretary:

Mr. SPEAKER—I am directed to inform you, that the Council of Revision having returned the bill for 'An act regulating the terms of holding the Supreme and Circuit Courts, and fixing the salary of the Circuit Judges,' with their objections to the passage of the same, the Senate have amended said bill to obviate said objections, and have again passed the same; in the passage of which they ask the concurrence of the House of Representatives.

And he withdrew.

The amendment of the Senate to said bill was taken up for consideration, and concurred in by the House.

Ordered. That the clerk inform the Senate thereof.

Message from the Council of Revision by Mr. Brown, their Secretary:

Mr. SPEAKER—The council of Revision have approved bills of the following titles, viz:

'An act to locate a State road from Frankfort in Franklin county, by way of Vienna in Johnson county, to the Ohio river;'

'An act to locate a State road from Knoxville to New Boston;'

'An act to amend an act to incorporate the town of Alton;'

'An act supplementary to an act concerning the county of Fulton, approved, Feb. 25, 1833;'

'An act supplementary to the act incorporating the Jacksonville and Meredocia rail road company;'

'An act concerning public officers;'

'An act for the relief of John Robb;'

'An act to amend an act prescribing the mode of summoning Grand and Petit Jurors, and defining their qualifications and duties;'

'An act for the benefit of Bank debtors;'

'An act to locate a road from Golconda in Pope county, to Pinckneyville in Perry county;'

'An act supplementary to an act to provide for the election of county Recorders and Surveyors;'

And he withdrew.

On motion of Mr. Thomas,

The amendments of the Senate to the bill, entitled 'An act making appropriations for the years 1835 and 1836,' were referred to a committee of the Whole House.

On motion of Mr. Gregory,

The House resolved itself into a committee of the Whole on said amendments, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Cloud reported that the committee of the Whole had, according to order, had said amendments under consideration, and directed him to report the same without amendment.

Mr. Hughes moved the previous question, which prevailed.

A division of the question being called for on the Senate's amendment,

The question was taken on the amendment relative to the salary of the Auditor of Public Accounts, by striking out '2,' and inserting '3,' which was not concurred in.

The Yeas and Nays being desired on this question by Messrs. Hughes and Nunnally,

Those voting in the affirmative, are

Messrs. Anderson, Blackwell, Brown, Dougherty, Dubois, Fithian, Gregory, Hackelton, Rowan, Thomas, and Vandevanter—11.

Those voting in the negative, are

Messrs. Able, Blockburger, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cloud, Cunningham, Dawson, Frazer, Gordon, Hampton, Harris, Harreld, Henry, Hughes, Hunter, Lincoln, McGahey, Moore, Murphy, Nunnally, Oliver, Owen, Stuart, Tunnel, Webb, Whiteside, Wren, Wyatt, and Mr. Speaker—31.

The question was then taken on the amendment to the Treasurer's salary, by striking out '2,' and inserting '3,' which was decided in the negative, by Yeas and Nays, upon the call of Messrs. Nunnally and Hampton, as follows:

Those voting in the affirmative, are

Messrs. Anderson, Blackwell, Brown, Dougherty, Ficklin, Fithian, Gregory, Hackelton, Ross, Thomas, and Vandevanter—11.

Those voting in the negative, are

Messrs. Able, Blockburger, Butler, Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cloud, Cunningham, Dawson, Dubois, Frazer, Gordon, Hampton, Harris, Harreld, Henry, Hughes, Hunter, Lincoln, McGahey, Moore, Murphy, Nunnally, Oliver, Owen, Stuart, Thompson, Tunnel, Webb, Whiteside, Wren, Wyatt, and Mr. Speaker—33.

The question was then taken as to the amendment to the Secretary of State's salary, and decided in the negative.

The question was then taken on the amendment for copy-

ing the Journals for the press, by striking out \$100 and inserting \$175, which amendment was concurred in, by Yeas and Nays, upon the call of Messrs. Carpenter of Sangamon, and Hughes, as follows:

Those who voted in the affirmative, were

Messrs. Blackwell, Blockburger, Brown, Butler, Cloud, Dawson, Dougherty, Ficklin, Fithian, Frazer, Gordon, Gregory, Hackelton, Harris, Henry, Hunter, Lincoln, McGahey, Owen, Ross, Rowan, Stuart, Thomas, Tunnel, Vandevanter, Webb, and Mr. Speaker—27.

Those who voted in the negative, were

Messrs. Carpenter of Hamilton, Carpenter of Sangamon, Clark, Cunningham, Hampton, Harreld, Hughes, Moore, Murphy, Nunnally, Oliver, Thompson, Whiteside, and Wyatt—14.

The other amendments were then separately concurred in.

Mr. Moore moved to re-consider the vote of concurrence in striking out the compensation to the Attorney General, which was not agreed to.

Mr. Cloud, from the committee on Enrolled bills, reported as correctly enrolled, bills of the following titles, viz:

‘An act for the benefit of the counties therein named;’

‘An act to establish a State road therein named;’

‘An act concerning the lessees of the Gallatin Saline;’

‘An act relating to the superintendent of the Gallatin county Saline, and for other purposes;’

‘An act to provide for the transcribing certain records therein named;’ and

‘An act regulating the terms of holding the Supreme and Circuit Courts, and fixing the salary of the Circuit Judges.’

Mr. Cloud, from the same, reported that they did, on this day, lay the foregoing bills before the Council of Revision.

On motion of Mr. Dunn,

A committee of conference was appointed on the disagreeing vote of the two Houses on the amendments of the Senate to the bill entitled ‘An act making appropriations for the years 1835 and 1836.’

Ordered, That Messrs. Dunn, Whiteside, and Wyatt, be that committee, and that the clerk inform the Senate thereof.

And then the House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

House met, pursuant to adjournment.

On motion of Mr. Gregory,

Resolved, That a joint committee be appointed by the House of Representatives and Senate to wait upon the Governor and inform him, that the two Houses are about to close their present session of the General Assembly, and enquire, if he has any further communication to make to them.

Ordered, That Messrs. Gregory, Nunnally, and Whiteside be that committee, that the Clerk inform the Senate thereof, and ask their concurrence therein.

The bill from the Senate entitled 'An act fixing the compensation of the Commissioner for selling the Gallatin Saline lands,' was read the first time; when

Mr. Rowan moved to lay the bill on the table until the 4th day of July next; which was not agreed to.

The bill was then ordered to a second reading.

On motion of Mr. Dawson,

The rule of the House was dispensed with, and the bill read the second time by its title, and

On motion of Mr. Rowan,

Referred to a select committee.

Ordered, That Messrs. Rowan, Fithian, and Hampton be that committee.

On motion of Mr. Hackelton,

Resolved, That a select committee be appointed to wait upon the Rev. Wm. Hunter, and request him to close their present session by prayer.

Ordered, That Messrs. Hackelton, Moore, and Cloud be the committee in pursuance of the foregoing resolution.

A message from the Senate by Mr. Thomas, a Senator:

"Mr. SPEAKER:—I am directed to inform the House of Representatives, that the Senate have agreed to appoint a committee of conference on the disagreeing vote of the two Houses on the bill for 'An act making appropriations for the years 1835 and 1836, and have appointed Messrs. Ewing and Taylor the committee on their part.'

And then he withdrew.

On motion of Mr. Clark,

Leave of absense was granted to Mr. McGahey for the remainder of the session.

A message from the Senate by Mr. Thomas, a Senator:

"MR. SPEAKER:—I am directed to inform the House of Representatives, that the Senate have concurred with them in the adoption of the resolution to appoint a committee to wait upon the Governor and inform him, that the two Houses are about to close their session, and enquire whether he has any communication to make to them, and have appointed Messrs. Mather and Gatewood on their part." And he withdrew.

On motion of Mr. Dawson,

Resolved unanimously that the thanks of the members of this House be tendered to the Hon James Semple, Speaker thereof, for the impartial and dignified manner with which he has discharged his duties as presiding officer over their deliberations.

Mr. Cloud from the committee on Enrolled Bills reported as correctly enrolled the bill entitled, 'An act for the purposes therein named.'

The Speaker laid before the House the following, which was read.

Vandalia, February 13, 1835.

SIR—Having been elected and commissioned Attorney General of the State of Illinois, hereby resign my office of Representative from the county of Madison.

Very respectfully,

Your most ob't. Serv't.

JESSE B. THOMAS, jr.

Hon. James Semple,
Speaker of the House of Reps.

On motion of Mr. Hackelton,

The communication was laid upon the table.

The Speaker also laid before the House the following, which was read.

Vandalia, Illinois, February 13, 1835.

SIR—Having been elected and commissioned Warden of the penitentiary of the State of Illinois, I hereby resign my seat as a Representative in the General Assembly from the county of Jefferson.

I have the honor to be, Sir,

Your ob't. Ser't.

STINSON H. ANDERSON.

Hon. James Semple,
Speaker of the House of Reps.

On motion of Mr. Gordon,

The communication was laid upon the table.

Mr. Rowan from the select committee to which was referred the bill entitled 'An act fixing the compensation of the Commissioner for selling the Gallatin Saline lands,' reported a substitute for the bill, which was read.

Mr. Gordon moved to amend the amendment by adding at the end of the 6th section the following, viz :

'*Provided*, That none of said land so selected as is herein provided shall be sold at a less price than seventy five cents per acre;' which was not agreed to.

The report of the committee was then concurred in.

On motion of Mr. Webb,

The bill was amended by adding the original bill at the end of the substitute.

The bill as amended was then ordered to a third reading.

On motion of Mr. Hampton,

The rule of the House was dispensed with, and the bill read the third time by its title, and passed as amended.

On motion of Mr. Webb,

The title of the bill was so amended as to read 'An act relative to the sale of the Gallatin county Saline lands, and fixing the compensation of the Commissioner for selling said lands.'

Ordered, That the title of the bill be as amended, that the Clerk inform the Senate thereof, and ask their concurrence therein.

Mr. Dunn from the joint select committee of conference on the disagreeing vote of the two Houses on the amendments of the Senate to the bill entitled 'An act making appropriations for the year 1835 and 1836,' made a report, which was read and concurred in.

Ordered, That the Clerk inform the Senate thereof.

Mr. Cloud from the committee on Enrolled Bills reported as correctly enrolled a bill entitled

'An act to extend the jurisdiction of justices of the Peace, in certain cases therein named.

Mr. Gregory from the joint committee appointed to wait upon the Governor, &c, reported that they had performed that duty, and received for answer, that he had no further communication to make to this General Assembly.

Mr. Hackelton from the select committee appointed to wait upon the Rev. Mr. Hunter and request him to close the session of this body with prayer, reported that they had performed that duty, and received for answer, that it would afford him pleasure to comply with the request of the House.

The House then adjourned until 6 o'clock, P. M.

6 o'clock, P. M.

House met pursuant to adjournment.

Mr. Cloud, from the committee on Enrolled Bills, reported as correctly enrolled the bills entitled,

'An act making appropriations for the years 1835 and 1836.'

'An act for the relief of a person therein named.'

'An act to change a part of the state road leading from Equality to Mount Vernon,' and that they had laid said bills before the council of revision.

The following protest was entered, to wit:

"We the undersigned members of the House of Representatives do enter our protest against the report of the committee of conference appointed by both Houses of the General Assembly in relation to the salary of Auditor of Public Accounts, Treasurer, and Secretary of State, believing that the amount allowed to said officers by said committee and agreed to by the House to be unjust and a waste of the public money.

N. W. NUNNALLY,

J. D. HUGHES,

R. G. MURPHY."

Mr. Dougherty moved that the rule of the House be dispensed with, and the bill entitled "An act relating to the residuum of the Vermillion Saline Lands be read the third time by its title. Which was not agreed to.

Mr. Cloud, from the committee on Enrolled Bills, reported as correctly enrolled a bill entitled

"An act relating to the sale of the Gallatin Saline Lands."

Also, that they this day laid the same before the Council of Revision.

Message from the Council of Revision, by Mr. Brown, their Secretary.

MR. SPEAKER:—The Council of Revision have approved bills of the following titles, viz.

"An act to establish a state road therein named."

"An act concerning the lessees of the Gallatin Saline."

"An act relating to the Superintendent of the Gallatin county Saline, and for other purposes."

"An act to provide for the transcribing certain records therein named."

"An act for the benefit of the counties therein named."

"An act regulating the terms of holding the Supreme and

Circuit Courts, and fixing the salaries of the Circuit Judges."

"An act for the purposes therein named."

"An act to extend the jurisdiction of Justices of the Peace in certain cases therein named."

"An act to change part of the state road leading from Equality to Mount Vernon."

"An act for the relief of a person therein named."

"An act to amend the act entitled 'An act for the relief of the Poor,' approved March 1, 1833.

"An act making appropriations for the years 1835 and 1836."

"An act relating to the sale of the Gallatin county Saline Lands." And then he withdrew.

On motion of Mr. Moore,

Resolved, That the Clerk inform the Senate that they are now ready to adjourn, *sine die*.

The Speaker laid before the House, the following, which was read, viz.

VANDALIA, FEB. 13, 1835.

SIR,

Having determined to accept the office of State's Attorney of the third Judicial Circuit, to which I have been elected and commissioned, I hereby resign my seat in the Legislature.

Very respectfully yours,

JOHN DOUGHERTY.

HON. JAMES SEMPLÉ,

Speaker of the House of Representatives.

And,

On motion of Mr. Hackelton,

Laid upon the table.

The Speaker laid before the House the following communication; which was read, viz.

VANDALIA, FEB. 13, 1835.

SIR,

In consequence of my having been elected and commissioned State's Attorney for the fourth Judicial Circuit, I hereby resign my office of Representative from the county of Wabash.

Very respectfully, your ob't. serv't.

O. B. FICKLIN.

HON. JAMES SEMPLÉ,

Speaker of the House of Representatives.

On motion of Mr. Moore,
The communication was laid upon the table.

Message from the Senate by Mr. Davis, assistant Secretary:

MR. SPEAKER—I am directed to inform you that the Senate have concurred with the House of Representatives in their amendments to the bill from the Senate entitled “An act fixing the compensation of the Commissioner for selling the Gallatin Saline Lands.

They have also concurred in the amendment to the title of said bill.

They have receded from their amendment to the bill from the House of Representatives entitled “An act for the benefit of a person therein named.”

They have concurred with the House of Representatives in the passage of a bill entitled “An act to change part of the state road leading from Equality to Mount Vernon.”

And he withdrew.

Message from the Senate, by Mr. White, their Secretary:

“MR. SPEAKER—I am directed to inform the House of Representatives that the Senate have finished their legislative business, and are now ready to adjourn, *sine die*.”

And then he withdrew.

On motion of Mr. Hackelton,

Resolved, That the House of Representatives do now adjourn, *sine die*.

The Rev. Mr. Hunter, at the request of the Speaker, then addressed a prayer to the Throne of Grace: after which, the Speaker rose and returned thanks, and adjourned the House, *sine die*.

DAVID PRICKETT,
Clerk of the House of Representatives.







